IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION Nos. 13527, 9226, 11064, 11984, 11993, 11983, 14534, 13963, 11841, 18796, 18844, 20827, 18951, 13700, 13719, 14876, 13727, 14018, 16333, 16638, 18943, 16733, 11841, 16783, 17281, 17559, 17778, 20043, 20413, 20729, 21353, 20189, 20190, 20249, 20361, 20958, 21188, 20132, 21712, 22068, 22010, 21982, 21713, 21984, 22335, 22254, 22361, 21866, 21983, 22004, 21377, 14191, 14190, 14192, 14273, 19954, 20012, 14291, 14293, 14373, 14800, 13124, 14292, 20269, 20648, 20656, 20695, 20879, 16194, 16790, 16811, 17080, 16154, 12999, 18011, 18813, 17082, 18991, 19070, 19244, 19627, 19910, 20885, and 21711 of 2004

WRIT PETITION NO : 13527 of 2004

Between:

Advanta India Limited, a Company incorporated under the Companies Act, 1956, having its registered Office at 405,
4th Floor, 'A' Wing, Carlton Towers, No.1, Airport Road, Bangalore and two of its Seed Processing Plants at 'B' camp
Post, Krishna Nagar, Kurnool and Kallakal (V), Toopran (M) Medak Dist. rep.by its Manager-Plant Accts, Mr.B.Balaji Rao

..... PETITIONER

AND

1 The State of Andhra Pradesh, represented by the Secretary, Agriculture & Co.Op. (Mktg.II) Department, Secretariat Bldgs. Hyderabad
2 The Commissioner and Director of Marketing, Government of Andhra Pradesh, Bhurgula Ramakrishna Rao Bhavan, Hyderabad
3 The Secretary, Agricultural Market Committee, Gajwel, Medak District
4 The Secretary, Agricultural Market Committee Market Yard, New Bus Stand, Kurnool

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, more particular in the nature of a Writ of Mandamus or any other appropriate Writ, Order or Direction as this Hon'ble Court may deem fit and proper, declaring (a) that the hybrid seeds produced by the Petitioner are not an 'agricultural produce' within the meaning of Section-2(i) and, at any rate, not a notified agricultural produce within the meaning of Section 2(x) as it do not form part of Schedule - II to the abovesaid Act of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966; (b) that the provisions of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966 are not applicable to seeds produced by the Petitioner in the absence of any sale or purchase of any agricultural produce within the notified area under the said Act; and consequently (c) that the impugned Notice No.56/2001/G/54 dated June 03, 2004 issued by the Respondent No.3 herein is illegal, arbitrary and wholly without jurisdiction; and further (d) direct the various Agricultural Market Committees functioning under the control of the Respondent No.2 herein, including the Respondent Nos.3 and 4 herein, not to levy and collect market fee or any other fees under the aforesaid Act from the petitioner, while refunding the market fee of Rs.31,36,233.75 Ps., illegally collected from the Petitioner till date; and (e) pass such further or other orders as this Hon'ble Court may deem fit and proper on the facts and in the circumstances of the case, including grant of costs of these proceedings and render justice

Counsel for the Petitioner:MR.C.R.SRIDHARAN

Counsel for the Respondent Nos. 1 & 2. GP FOR AGRICULTURE

Counsel for the Respondent No.3. Sri V.V.N. Narayana Rao, S.C. for Agrl.Market Committees.

Counsel for the Respondent No.4. Sri P.Bhanu Prakash, S.C. for Agrl.Market Committees.

WRIT PETITION NO : 9226 of 2004

Between:

Nunhems Seeds Private Ltd. Rep by Sri T.N. Rajan, Masabtank, Hyderabad.

..... PETITIONER

AND

1 The Regional Vigilance and Enforcement Officer, Hyderabad Rural, 2nd floor Burgula Ramakrishnarao Bhavan, Tank Bund, Hyderabad.
2 The Secretary, Agricultural Market Committee, Medchal, Ranga Reddy District.
3 The Govt. of A.P. rep by its Secretary, Agricultural Department, Secretariat, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to

issue a Writ, order or direcdtion more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing impugned notice No. AMC/M/9/2004-2005, DATED 22-5-2004 Calling upon the petitioner to pay the market fee as illegal, arbitrary and unjust and pass

Counsel for the Petitioner:MRMRAMA NARASIMHULU

Counsel for the Respondent Nos. 1 & 3: GP FOR AGRICULTURE

Counsel for the Respondent No.2. Sri V.V.N.Narayana Rao

WRIT PETITION NO : 11064 of 2004

Between:

M/s.Nuziveedu Seeds Limited, Company Regd.under the Companies Act, 1956, rep., by its Asst.General Manager Shri S.M.Khan, s/o Sri Malakondaiah, 7-C, Surya Towers, 105, Sardar Patel Road, Secunderabad-500 003.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep., by its Secretary, Agricultural & Co-op.(Mktg.II) Department, Secretariat Building, Hyderabad.
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh, Hyderabad.
3 The Secretary, Agricultural Marketing Committee, Medchal, Ranga Reddy District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ of mandamus or any otherappropriate writ order or direction declaring the impugned Notice No.AMC/M/A/2004-2005 dated 14-06-2004 issued by the respondents as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of Certified as well as Truthfully Labeled Seed for sowing purpose from the petitioner Company and also direct the respondents to refund the illegally collected market fee of Rs.24,49,786/- from the petitioner

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondents 1 & 2. G.P. for Agriculture

Counsel for the Respondent No3. Sri V.V.N.Narayana Rao

WRIT PETITION NO : 11984 of 2004

Between:

M/s Nandi Seeds Private Limited, Company Regd. under the Companies Act, 1956, Rep. by its Director Shri M.V. Ratna Rao, S/o Siddaiah, aged 43, D.No. 1-7-44/A/1, Market Road, Mahaboobnagar.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its Secretary, Agricultural & Co-op (Mktg.II) Department, Secretariat Buildings, Hyderabad.
2 The Commissioner & Director of Marketing Government of Andhra Pradesh, Hyderabad.
3 The Secretary, Agricultural Marketing Committee, Mahabubnagar, Mahabubnagar District.
4 The Secretary, Agricultural Market Committee, Kurnool, Kunool District.
5 The Secretary, Agricultural Market Committee, Gadwal, Mahabubnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ of Mandamus or any other appropriate Writ Order or direction declaring the impugned Notice No. AMC/M/47/215 dated 4-7-2004 issued by the third respondent as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of Certified as well as Truthfully Labeled Seed for sowing purpose from the petitioner Company and also direct the respondents to refund the illegally collected market fee of Rs. 78,000/- from the petitioner

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondent Nos 1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent Nos. 3 & 5: Sri V.V.N.Narayana Rao

Counsel for the Respondent No.4: Sri P.Bhanu Prakash

WRIT PETITION NO : 11993 of 2004

Between:

M/s Tulasi Seeds Private Limited Company Regd.under the Companies Act, 1956, rep.by its General Manager
Shri K.R.K.Rao, S/o Rama Pullayya, aged 40 years, "Tulasi House", D.No.6-4-6, Arundalpet 4/5, Guntur

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep.by its Secretary, Agricultural & Co-op (Mktg.II) Department, Secretariat Building, Hyderabad
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh, Hyderabad
3 The Secretary, Agricultural Marketing Committee, Sattenapalli, Guntur District
4 The Secretary, Agricultural Market Committee, Kurnool, Kurnool District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction declaring the impugned Notice R.C.No.96/2004 Super-2 dated 24-06-2004 issued by the third respondent as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of Certified as well as Truthfully Labeled Seed for sowing purpose from the petitioner Company and also direct the respondents to refund the illegally collected market fee of Rs.52,26,282/- from the petitioner

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent No.3: Sri K.Madhava Reddy, Standing Counsel for Agricultural Market Committees

Counsel for the Respondent No.4: Sri P. Bhanu Prakash, S.C. for Agricultural Market Committees

WRIT PETITION NO : 11983 of 2004

Between:

M/s.Ganga Kaveri Seeds Private Limited Company Regd.Under the Companies Act, 1956 rep., by its Administrative Officer Mr.M.Jagdish Kumar s/o Sri M.Anna Rao,1406, Babukhan Estate, Basheerbagh, Hyderabad-500 001 A.P., India.

..... PETITIONER

AND

1 The Government of Andhra Pradesh rep., by its Secretary, Agricultural & Co.op.(Mktg.II) Department, Secretariat Building, Hyderabad.
2 The Commissioner & Director of Marketing Government of Andhra Pradesh, Hyderabad.
3 The Secretary, Agricultural Marketing Committee, Medchal, Ranga Reddy District.
4 The Secretary, Agricultural Marketing Committee, Huzurabad, Keshavapatnam, Karimnagar District.

5 The Secretary, Agricultural Marketing Committee,
Armoor, Nizamabad District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ order or direction declaring the impugned Notice No.AMC/HU/Sub-Market/Kesavapatnam/2003 dated 05-05-2004 issued by the fourth respondent as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of certified as well as Truthfully Labeled Seed for sowing purpose from the petitioner company and also direct the respondents to refund the illegally collected market fee of Rs.24,28,594/- from the petitioner and pass

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondent Nos.1 & 2: G.P. for Agriculture

Counsel for the Respondent Nos.3 to 5: Sri V.V.N.Narayana Rao

WRIT PETITION NO : 14534 of 2004

Between:

M/s Prabhat Agri Biotech Limited Company Regd.under the Companies Act, 1956, rep.by its Regional Manager T.Sreedhar, S/o T.Premchand, aged 36 years, D.No.6-3-540/10, Opp.State Bank of Hyderabad, Punjagutta, Hyderabad

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep.by its Secretary, Agricultural & Co-op (Mktg.II) Dept. Secretariat Building, Hyderabad
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh, Hyderabad
3 The Secretary, Agricultural Marketing Committee, Medchal, Ranga Reddy District
4 The Secretary, Agricultural Market Committee, Adilabad, Adilabad District
5 The Secretary, Agricultural Market Committee, Nizamabad, Nizamabad District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or direction declaring the impugned Assessment Order in Proc.No.AMC/M/24/2002-2003 dated 08-07-2004 issued by the third respondent and in demanding and collecting the market fee on the sale and purchase of 'Seed' under the A.P.(Agricultural Produce & Livestock)

Market Act, 1966, as illegal and without jurisdiction and issue consequential direction prohibiting Certified as well as Truthfully Labeled Seed for sowing purpose from the petitioner Company and also direct the respondents to refund the illegally collected market fee of Rs.2,54,849/- from the petitioner

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondent Nos. 1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent Nos.3 to 5: Sri V.V.N.Narayana Rao

WRIT PETITION NO : 13963 of 2004

Between:

M/s. Vikki Agrotech Limited Company Regd. Under the Companies Act, 1956, rep by Manager Finance & Admn R. Venkateswarlu S/o Veera Swamy d.No. 8-3-960/6/2, Srinagar Colony, Hyderabad

..... PETITIONER

AND

1 The Government of Andhra Pradesh rep by Secretary Agricultural & Co-op (Mktg.II) Department Secretariat Building Hyderabad
2 The Commissioner & Director of Marketing Government of Andhra Pradesh, Hyderabad
3 the Secretary Agricultural Marketing Committee Guntur Guntur District
4 The Secretary Agricultural Market Committee Kurnool Kurnool District
5 The Secretary Agricultural Market Committee Nizamabad, Nizamabad District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Wirt of Mandamus or any other appropriate Writ order or direction declaring the impugned Notice R.O.C. No. 70/2004 dated 08-04-2004 of the respondents in demanding and collectingthe market fee on the sale and purchase of seed' under the A.P (Agricultural Produce & Livestock) Market Act, 1966 as illegal and without jurisdiction and issue consequential direction prohibiting Certified as well as Truthfully Labeled Seed for sowing purpose from the petitioenr Company and also direct the respondents to refund the illegally collected market fee of Rs. 1,92,005/- from the petitioner

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent No.3: Sri K. Madhava Reddy, S.C. for Agricultural

Market Committees

Counsel for the Respondent No.4: Sri P.Bhanu Prakash, S.C. for Agricultural Market Committees

Counsel for the Respondent No.5: Sri V.V.N.Narayana Rao, S.C. for Agricultural Market Committees

WRIT PETITION NO : 11841 of 2004

Between:

M/S.Pravardhan Seeds Private Limited Company Regd.under the Comapnies Act, 1956, rep., by its Marketing Manager Shri D.Nageswara Rao, s/o Bhadraiah, 8-II, Lalbahadur Stadium, Hyderabad-500 001.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep., by its Secretary, Agricultural & Co.op.(Mktg.II) Department, Secretariat Building, Hyderabad.
2 The Commissioner & Director of Marketing Government of Andhra Pradesh, Hyderabad.
3 The Secretary, Agricultural Market Committee, Kurnool, Kurnool District.
4 The Secretary, AgriculturalMarket Committee, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ of mandamus or any other appropriate writ order or direction declaring the action of the respondents in demanding and collecting Market Fee from the petitioner on the purchase and Sale of "Seed" under the A.P.(Agricultural Produce & Livestock) Market Act, 1966, as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of Certified as well as Truthfully Labeled Seed for sowing purpose from the petitioner company and also direct the respondents to refund the illegally collected market fee of Rs.4,91,000/- from the petitioner

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent No.3: Sri P.Bhanu Prakash

Counsel for the Respondent No.4: Sri V.V.N.Narayana Rao

WRIT PETITION NO : 18796 of 2004

Between:

M/s Sri Balaji Seeds Company A firm registered under the Partnership Act, 1932 Rep.by its's Managing Partner P.Chandra Sekhar S/o.Pentaiah aged 28 years having it's Regd.Office at N.H.-7 Roads Damaracheruvu Village, Ramayampet Mandal Medak District-502 101.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep., by its Secretary Agricultural & Co.op. (Mktg.II) Department, Secretariat Building, Hyderabad.
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh, Hyderabad.
3 The Secretary, Agricultural Market Committee, Nizamabad.
4 The Secretary, Agricultural Market Committee, Kishangunj, Hyderabad.
5 The Secretary, Agricultural Market Committee, Armur, Nizamabad District.
6 The Secretary, Agricultural Market Committee, Metpally, Nizamabad District.
7 The Secretary, Agricultural Market Committee, Nirmal, Nizamabad District.
8 The Secretary, Agricultural Market Committee, Metpally, Nizamabad District.
9 The Secretary, Agricultural Market Committee, Bhanswada, Nizamabad District.
10 The Secretary, Agricultural Market Committee, Badwel, Cuddapah District.
11 The Secretary, Agricultural Market Committee, Mahabubnagar, Mahabubnagar District.
12 The Secretary, Agricultural Market Committee, Alampur, Mahabubnagar District.
13 The Secretary, Agricultural Market Committee, Gadwal, Mahaboobnagar District.
14 The Secretary, Agricultural Market Committee, Shadnagar, Mahaboobnagar District.
15 The Secretary, Agricultural Market Committee, Badepalli, Mahaboobnagar District.
16 The Secretary, Agricultural Market Committee, Achampet, Mahaboobnagar District.
17 The Secretary, Agricultural Market Committee, Mydakur, Mahaboobnagar District.
18 The Secretary, Agricultural Market Committee, Huzurabad, Karimnagar, District.

19 The Secretary, Agricultural Market Committee, Porumamilla.
20 The Secretary, Agricultural Market Committee, Chintakunta.
21 The Secretary, Agricultural Market Committee, Suryapet, Nalgonda District.
22 The Secretary, Agricultural Market Committee, Kodada, Nalgonda District.
23 The Secretary, Agricultural Market Committee, Kurnool
24 The Secretary, Agricultural Market Committee, Allagadda, Kurnool District.
25 The Secretary, Agricultural Market Committee, Koyalakunta, Kurnool District.
26 The Secretary, Agricultural Market Committee, Mantralaya, Kurnool District.
27 The Secretary, Agricultural Market Committee, Adoni, Kurnool District.
28 The Secretary, Agricultural Market Committee, Nandyal, Kurnool District.
29 The Secretary, Agricultural Market Committee, Yemmiganur, Kurnool District.
30 The Secretary, Agricultural Market Committee, Nandikotkur, Kurnool District.
31 The Secretary, Agricultural Market Committee, Atmakur, Kurnool District.
32 The Secretary, Agricultural Market Committee, Alur, Kurnool District.
33 The Secretary, Agricultural Market Committee, Chintalpudi, W.G.District.
34 The Secretary, Agricultural Market Committee, Jangareddygudem, W.G.District.
35 The Secretary, Agricultural Market Committee, Sattupally, W.G.District.
36 The Secretary, Agricultural Market Committee, Rajahmundry, E.G.District.
37 The Secretary, Agricultural Market Committee, Eluru W.G.District.
38 The Secretary, Agricultural Market Committee, Jaggayyapet, Krishna District.
39 The Secretary, Agricultural Market Committee, Vijayawada, Krishna District.
40 The Secretary, Agricultural Market Committee, Nuzuvidu, Krishna District.
41 The Secretary, Agricultural Market Committee, Narasaraopet, Guntur District.
42 The Secretary, Agricultural Market Committee, Giddalur, Prakasam District.
43 The Secretary, Agricultural Market Committee, Medak, Medak District.
44 The Secretary, Agricultural Market Committee, Karimnagar, Karimnagar District.
45 The Secretary, Agricultural Market Committee,

Siddipet, Medak District.
46 The Secretary, Agricultural Market Committee,
Dubbak, Medak District.
47 The Secretary, Agricultural Market Committee,
Peddapalli, Karimnagar District.
48 The Secretary, Agricultural Market Committee,
Ramayanpet, Medak District.
49 The Secretary, Agricultural Market Committee,
Pocharam, Medak District.
50 The Secretary, Agricultural Market Committee,
Pitlam, Nizambad District.
51 The Secretary, Agricultural Market Committee,
Medak, Medak District.
52 The Secretary, Agricultural Market Committee,
Jangom, Warangal District.
53 The Secretary, Agricultural Market Committee,
Yellareddy, Nizamabad District.
54 The Secretary, Agricultural Market Committee,
Narayanaked Medak District.
55 The Secretary, Agricultural Market Committee,
Khammam, Khammam District.
56 The Secretary, Agricultural Market Committee,
Nalgonda, Nalgonda District.
57 The Secretary, Agricultural Market Committee,
Ananthapur, Ananthapur District.
58 The Secretary, Agricultural Market Committee,Madanpally, Chittoor District.
59 The Secretary, Agricultural Market Committee,
Dichpally, Nizamabad District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ of Mandamus or any other appropriate writ Order or direction declaring the action of the respondents in demanding and collecting market fee from the petitioner on the purchase and sale of Seeds produced for Germination/sowing purpose under the A.P. (Agricultural Porduce and Livestock) Markets Act 1966 as illegal and without jurisdiction and issue consequential direction Prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of Certified as well as Truthfully Labeled Seed for sowing purpose from the petitioner firm and also direct the respondents to refund the illegally collected market fee of Rs.26,870/- from the petitioner.

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent Nos.3 to 22 and 43 to 56: Sri V.V.N.Narayana Rao, (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.23 to 32 and 57 & 58: Sri P.Bhanu Prakash (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.33 to 42: Sri K.Madhava Reddy, (S.C. for Agricultural Market Committees)

WRIT PETITION NO : 18844 of 2004

Between:

M/S Indrani Hybrid Seeds Compnay A Firm Registred under the Partnership Act, 1932, aged 45, having its Read.Office at H.No.7-37, Damarcheruvu Village, Ramayampet Mandal, Medak District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh rep.by its Secretary Agricultural &CO-Op(Mktg.II) Department Secretariat Building , Hyderabad
2 The Commissioner &Director of Marketing Goverment of Andhra PRadesh , Hyderabad.
3 The Secretary Agricultural Market Committee, Nizamabad
4 The Secretary Agricultural Market Committee, Kishangunj, Hyderabd
5 The Secretary Agricultural Market Committee, Armur, Nizamabad district
6 The Secretary Agricultural Market Committee, Metpally, Nizamabad district
7 The Secretary Agricultural Market Committee, Nirmal Nizamabad district
8 The Secretary Agricultural Market Committee, Metpally, Nizamabad district
9 The Secretary Agricultural Market Committee, Bhanswada Nizamabad dist.
10 The Secretary Agricultural Market Committee, Badwel Cuddapah District.
11 The Secretary Agricultural Market Committee, Mahabubnagar Mahabubnagar District
12 The Secretary Agricultural Market Committee, Alampur Mahabubnagar Dist
13 The Secretary Agricultural Market Committee, Gadwal Mahabubnagar Dist
14 The Secretary Agricultural Market Committee, Shadnagar Mahabubnagar District
15 The Secretary Agricultural Market Committee, Badepalli Mahabubnagar Dist
16 The Secretary Agricultural Market Committee, Achampet Mahabubnagar District
17 The Secretary Agricultural Market Committee, Mydukur Mahabubnagar Dist
18 The Secretary Agricultural Market Committee, Huzurabad Karimnagar Dist
19 The Secretary Agricultural Market Committee, Porumamilla
20 The Secretary Agricultural Market Committee, Chintakunta
21 The Secretary Agricultural Market Committee, Suryapet, Nalgonda District
22 The Secretary Agricultural Market Committee, Kodada Nalgonda District
23 The Secretary Agricultural Market Committee, Kurnool
24 The Secretary Agricultural Market Committee,Allagadda Kurnool district
25 The Secretary Agricultural Market Committee, Koyalakunta Kurnool district
26 The Secretary Agricultural Market Committee, Mantralaya Kurnool district
27 The Secretary Agricultural Market Committee, Adoni Kurnool district
28 The Secretary Agricultural Market Committee, Nandyal Kurnool district
29 The Secretary Agricultural Market Committee,Yemmiganur Kurnool district
30 The Secretary Agricultural Market Committee, Nandikotkur Kurnool district
31 The Secretary Agricultural Market Committee, Atmakur Kurnool district
32 The Secretary Agricultural Market Committee, Allur, Kurnool district
33 The Secretary Agricultural Market Committee, Chintalpudi W.G.District.
34 The Secretary Agricultural Market Committee, Jangareddygudem W.G.District.
35 The Secretary Agricultural Market Committee, Sattupally W.G.District.

36 The Secretary Agricultural Market Committee, Rajahmundry E.G.District
37 The Secretary Agricultural Market Committee, Eluru W.G.District.
38 The Secretary Agricultural Market Committee, Jaggayyapet Krishna District
39 The Secretary Agricultural Market Committee,Vijayawada Krishna District
40 The Secretary Agricultural Market Committee, Nuzuvidu Krishna District
41 The Secretary Agricultural Market Committee, Narasaraopet Guntur District
42 The Secretary Agricultural Market Committee, Giddalur Prakasam District
43 The Secretary Agricultural Market Committee, Medak Medak District
44 The Secretary Agricultural Market Committee, Karimnagar karimnagar District
45 The Secretary Agricultural Market Committee, Siddipet Medak District
46 The Secretary Agricultural Market Committee, Dubbak Medak District
47 The Secretary Agricultural Market Committee, Peddapalli Karimnagar District
48 The Secretary Agricultural Market Committee, Ramayanpet Medak District
49 The Secretary Agricultural Market Committee, Pocharam Medak District
50 The Secretary Agricultural Market Committee, Pitlam Nizamabad District
51 The Secretary Agricultural Market Committee, Medak Medak District
52 The Secretary Agricultural Market Committee, Jangon Warngal District
53 The Secretary Agricultural Market Committee, Yellareddy Nizamabad District
54 The Secretary Agricultural Market Committee, Narayanked, Medak District
55 The Secretary Agricultural Market Committee, Khammam Khammam District
56 The Secretary Agricultural Market Committee, Nalgonda Nalgonda District
57 The Secretary Agricultural Market Committee, Ananthapur Ananthapur District
58 The Secretary Agricultural Market Committee, Madanpally Chittoor District
59 The Secretary Agricultural Market Committee, Dichapally, Nizamabad District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ order or direction declaring the action of the respondents in demanding and collecting market fee fromthe petitioner ont he purchase and sale of seeds produced for Germination/sowing purpose under the AP. (Agricultural Produce & Livestock) market Act, 1996 as illegal and withotu jurisdiction and issue consequential direction prohibiting the respondent from demanding and collecting the market fee on the sale and purcahse of Certified as well as Truthfully Labeled Seed for sowing purpose from the petitioner firm and also dircet the respondents to refind the illegally collected market fee of Rs.1,87,709/- from the petitioner

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE Counsel for the Respondent Nos. 33 to 42: Sri K.madhava Reddy (S.C. for Agricultural Market Committees) Counsel for the Respondent Nos.3 to 9, 11 to 18, 21, 22, 43 to 56 and 59: Sri V.V.N. Narayana Rao (S.C. for Agricultural Market Committees) Counsel for the Respondent Nos.10, 19, 20, 23 to 32, 57 and 58: Sri P.Bhanu Prakash (S.C. for Agricultural Market Committees)

WRIT PETITION NO : 20827 of 2004

Between:

M/s. P.N.R. Seeds Company, Rep by its Partner Shri Putti Raju,
S/o. Narsimloo, aged 25 years, having it's Office at Ramayampet Village,
Ramayampet Village and Mandal, Medak District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep by its Secretary, Agricultural & Co-op (Mktg.II) Department Secretariat Building, Hyderabad.
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh, Hyderabad.
3 The Secretary, Agricultural Market Committee, Nizamabad.
4 The Secretary, Agricultural Market Committee, Kishangunj, Hyderabad.
5 The Secretary, Agricultural Market Committee, Armur, Nizamabad District.
6 The Secretary, Agricultural Market Committee, Metpally, Nizamabad District.
7 The Secretary, Agricultural Market Committee, Nirmal, Nizamabad District.
8 The Secretary, Agricultural Market Committee, Metpally, Nizamabad District.
9 The Secretary, Agricultural Market Committee, Bhanswada, Nizamabad District.
10 The Secretary, Agricultural Market Committee, Badwel, Cuddapah District.
11 The Secretary, Agricultural Market Committee, Mahaboobnagar.
12 The Secretary, Agricultural Market Committee, Alampur, Mahaboobnagar District.
13 The Secretary, Agricultural Market Committee, Gadwal, Mahaboobnagar District.
14 The Secretary, Agricultural Market Committee, Shadnagar, Mahaboobnagar District.
15 The Secretary, Agricultural Market Committee, Badepalli, Mahaboobnagar District.
16 The Secretary, Agricultural Market Committee, Achampet, Mahaboobnagar District.
17 The Secretary, Agricultural Market Committee, Mydukur, Mahaboobnagar District.
18 The Secretary, Agricultural Market Committee, Huzurabad, Karimnagar District.
19 The Secretary, Agricultural Market Committee, Porumamilla.
20 The Secretary, Agricultural Market Committee, Chintakunta.
21 The Secretary, Agricultural Market Committee, Suryapet, Nalgonda District.
22 The Secretary, Agricultural Market Committee, Kondada, Nalgonda District.
23 The Secretary, Agricultural Market Committee, Kurnool.
24 The Secretary, Agricultural Market Committee, Allagadda, Kurnool District.
25 The Secretary, Agricultural Market Committee, Koyalakunta, Kurnool District.
26 The Secretary, Agricultural Market Committee, Mantralaya, Kurnool District.
27 The Secretary, Agricultural Market Committee, Adoni, Kurnool District.
28 The Secretary, Agricultural Market Committee, Nandyal, Kurnool District.
29 The Secretary, Agricultural Market Committee, Yemmiganur, Kurnool District.
30 The Secretary, Agricultural Market Committee, Nandikotkur, Kurnool District.
31 The Secretary, Agricultural Market Committee, Atmakur, Kurnool District.
32 The Secretary, Agricultural Market Committee, Allur, Kurnool District.
33 The Secretary, Agricultural Market Committee, Chintapudi, West Godavari District.
34 The Secretary, Agricultural Market Committee, Jangareddygudem, West Godavari District.
35 The Secretary, Agricultural Market Committee, Sattupally, West Godavari District.
36 The Secretary, Agricultural Market Committee, Rajahmundry, East Godavari District.

37 The Secretary, Agricultural Market Committee, Eluru, West Godavari District.
38 The Secretary, Agricultural Market Committee, Jaggayyapet, Krishna District.
39 The Secretary, Agricultural Market Committee, Vijayawada, Krishna District.
40 The Secretary, Agricultural Market Committee, Nuzuvidu, Krishna District.
41 The Secretary, Agricultural Market Committee, Narasaraopet, Guntur District.
42 The Secretary, Agricultural Market Committee, Giddalur, Prakasam District.
43 The Secretary, Agricultural Market Committee, Medak, Medak District.
44 The Secretary, Agricultural Market Committee, Karimnagar, Karimnagar District.
45 The Secretary, Agricultural Market Committee, Siddipet, Medak District.
46 The Secretary, Agricultural Market Committee, Dubbak, Medak District.
47 The Secretary, Agricultural Market Committee, Peddapalli, Karimnagar District.
48 The Secretary, Agricultural Market Committee, Ramayanpet, Medak District.
49 The Secretary, Agricultural Market Committee, Pocharam, Medak District.
50 The Secretary, Agricultural Market Committee, Pitlam, Nizamabad District.
51 The Secretary, Agricultural Market Committee, Medak, Medak District.
52 The Secretary, Agricultural Market Committee, Jagom, Warangal District.
53 The Secretary, Agricultural Market Committee, Yellareddy, Nizamabad District.
54 The Secretary, Agricultural Market Committee, Narayanked, Medak District.
55 The Secretary, Agricultural Market Committee, Khammam, Khammam District.
56 The Secretary, Agricultural Market Committee, Nalgonda, Nalgonda District.
57 The Secretary, Agricultural Market Committee, Ananthapur, Anantapur District.
58 The Secretary, Agricultural Market Committee, Madanpally, Chittoor District.
59 The Secretary, Agricultural Market Committee, Dichpally, Nizamabad District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ Order or direction declaring the action of the respondents in demanding and collecting market fee from the petitioner on the purphase and sale of seeds produced for Germination / sowing purpose under the A.P. (Agricultural Produce & Livestock) Markets Act, 196 as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of Certified as well as Truthfully Labeled Seeds for sowing purpose from the petitioner firm and pass

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondents. 1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent Nos. 3 to 9, 11 to 18, 21, 22, 43 to 56 and 59: Sri V.V.N.NARAYANA RAO

Counsel for the Respondent Nos.33 to 42: Sri K.MADHAVA REDDY

Counsel for the Respondent Nos.10, 19, 20, 23 to 32, 57 and 58: Sri P.Bhanu Prakash (SC FOR AGRL.MRKT.COMTTS)

WRIT PETITION NO : 18951 of 2004

Between:

Nath Bio-Genes (India) Limited (Formerly "Nath Seeds Limited") a Company incorporated under the Companies Act, 1956, having its Registered office at Nath House, Nath Road, Aurangabad-431 005, Maharashtra, rep., by its
Regional Manager-Processing Mr.D.H.Deshpande

..... PETITIONER

AND

1 The State of Andhra Pradesh rep., by the Secretary Agriculture & Co.op.(Mktg.II) Department, Secretariat Bldg., Hyderabad-500 022.
2 The Commissioner and Director of Marketing, Government of Andhra Pradesh, Bhurgula Ramakrishna Rao Bhavan, Hyderabad-500 029.
3 The Secretary, Agricultural Market Committee, Medchal, Ranga Reddy District.
4 The Secretary, Agricultural Market Committee, Nizamabad.
5 The Secretary, Agricultural Market Committee, Armoor,Nizamabad District.
6 The Secretary, Agricultural Market Committee, Mahaboobnagar.
7 The Secretary, Agricultural Market Committee, Gadwal, Mahaboobnagar District.
8 The Secretary, Agricultural Market Committee, Karimnagar.
9 The Secretary, Agricultural Market Committee, Market Yard, New Bus Stand, Kurnool.
10 The Secretary, Agricultural Market Committee, Nandyal, Kurnool District.
11 The Secretary, Agricultural Market Committee, Allagadda, Kurnool District.
12 The Secretary, Agricultural Market Committee, Proddatur, Kadapa District.
13 The Secretary, Agricultural Market Committee, Mydukur, Kadapa District.
14 The Secretary, Agricultural Market Committee, Adoni, Anantapur.
15 The Secretary, Agricultural Market Committee, Madanapally, Chittoor District.
16 The Secretary, Agricultural Market Committee, Eluru, West Godavari District.
17 The Secretary, Agricultural Market Committee, Nellore.
18 The Secretary, Agricultural Market Committee, Vizianagaram.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, more particularly in the nature of a writ of mandamus or any other appropriate writ, order or direction as this Hon'ble Court may deem fit and proper declaring- a) that the hybrid seeds produced by the petitioner are not an agricultural produce within the meaning of Section 2(i) and, at any rate, not a notified agricultural produce within the meaning of Section 2(x) as it do not form part of Schedule-II to the above said Act of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966; b) that the impugned Notice Lr.No.AMC/M/73/2004-2005 dated September 13, 2004 issued by the respondent No.3 herein is illegal, arbitrary and wholly without jurisdiction; and further c) direct the various agricultural Market Committees functioning under the control of the respondent No.2 herein, including the respondent Nos.3 to 18 herein, not to levy and collect market fee or any other fees under the aforesaid Act from the petitioner, while refunding the market fee illegally collected from the petitioner till date; and d) pass such further or other order as this Hon'ble Court may deem fit and proper on the facts and in the circumstances of the case, including grant of costs of these proceedings and render justice.

Counsel for the Petitioner:MR.C.R.SRIDHARAN

Counsel for the Respondent Nos.1 and 2: GP FOR AGRICULTURE

Counsel for the Respondent Nos. 3 to 8: Sri V.V.N.Narayana Rao, (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.9 to 15: Sri P.Bhanu Prakash, (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.16 to 18: Sri K.Madhava Reddy, (S.C. for Agricultural Market Committees)

WRIT PETITION NO : 13700 of 2004

Between:

Ankur Seeds Ltd., a company Regd under the Companies Act, having its office at No. 203, Vipanchi Estate 2nd floor, Hyderguda, Hyderabad rep by Dy. General manager (Production), Shri Gb Kulkarni, S/o Bhanudas Rao R/o Hyderabad

..... PETITIONER

AND

1 STate of A.P., rep by Secretary Agriculture and Co-operation (Mktg) Dept., Secretariat Buildings, Hyderabad
2 The Commissioner Vigilance Department of the Civil Supplies, Civil Supplies Department, Hyderabad
3 Commissioner and Director of Agrl. Marketing Committee, Governmetn of A.P., BRRK Building
Tank Bund Hyderabad
4 The Secretary, Agriculture Market Committee, Nizamabad
5 The Secretary, Agriculture Market Committee, Kishangunj

6 The Secretary, Agriculture Market Committee, Armur, Nizamabad District
7 The Secretary, Agriculture Market Committee, Kamareddy, Nizamabad District
8 The Secretary, Agriculture Market Committee, Bhanswada, Nizamabad District
9 The Secretary, Agriculture Market Committee, Yellareddy, Nizamabad District
10 The Secretary, Agriculture Market Committee, Medchal, Ranga Reddy D District
11 The Secretary, Agriculture Market Committee, Mahaboobnagar
12 The Secretary, Agriculture Market Committee, Alamoor, Mahaboobnagar
13 The Secretary, Agriculture Market Committee, Gadwal, Mahaboobnagar District
14 The Secretary, Agriculture Market Committee, Gadepalli, Mahaboobnagar District
15 The Secretary, Agriculture Market Committee, Shadnagar, Mahaboobnagar District
16 The Secretary, Agriculture Market Committee, Achampet, Mahaboobnagar District
17 The Secretary, Agriculture Market Committee, Vanaparthi, Mahaboobnagar District
18 The Secretary, Agriculture Market Committee, Suryapet, Nalgonda District
19 The Secretary, Agriculture Market Committee, Kodada, Nalgonda District
20 The Secretary, Agriculture Market Committee, Kurnool
21 The Secretary, Agriculture Market Committee, Koyolakuntla, Kurnool District
22 The Secretary, Agriculture Market Committee, Allagadda, Kurnool District
23 The Secretary, Agriculture Market Committee, Banaganapalli, Kurnool Dist.
24 The Secretary, Agriculture Market Committee, Adoni, Kurnool District
25 The Secretary, Agriculture Market Committee, Nandyal, Kurnool District
26 The Secretary, Agriculture Market Committee, Yemmiganur, Kurnool Dist.
27 The Secretary, Agriculture Market Committee, Atmakur, Kurnool District
28 The Secretary, Agriculture Market Committee, Nandikotkur, Kurnool District
29 The Secretary, Agriculture Market Committee, Chintalapoodi,West Godavari District
30 The Secretary, Agriculture Market Committee, Eluru,West Godavari District
31 The Secretary, Agriculture Market Committee, Jaggayyapet, Krishna District
32 The Secretary, Agriculture Market Committee, Nizvid, Krishna District
33 The Secretary, Agriculture Market Committee, Narasaraopet Guntur District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, direction more particulalry one in the nature of Writ of Mandamus, directing the respondents and their ilk not to force the petitioner company to obtain licence or pay market cess or restrain the petitioner's seed that is being transported or file cirminal cases pursuant to their demand that the provisions of Agricultural Market Committee, Act, 1966 are applicable to the petitioenr company in any manner and cause interference with the petitioenr's marketing of the seed in any manner and consequently direct the respondents to return the amount already collected rfrom the petitioenr under duress to the petitioner

Counsel for the Petitioner:MR.M.SIVANANDA KUMAR

Counsel for the Respondent Nos.1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent Nos. 4 to 9: Sri V.V.N.Narayana Rao, (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.20 to 28: Sri P.Bhanu Prakash, (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.29 to 33: Sri K.Madhava Reddy, (S.C. for Agricultural Market Committees)

WRIT PETITION NO : 13719 of 2004

Between:

JK. Agri Genetics Ltd., a Company Regd. under the Companies Act H.NO. 1-10-1777, 4th Floor, Varun Towers, Begumpet, Hyd rep. by its Asst. Manager, (Commercial- Accounts) /Authorised Agent, Shri NT Raju,
S/o. Surya Rao, 54 Years, , R/o. Hyd.

..... PETITIONER

AND

1 State of A.P., rep. by Secretary, Agriculture and Co-Operation (MKtg), Dept., Secretariat, Hyd.
2 The Commissioner, Vigilance Dept., of the Civil Supplies, Civil Supplies, Dept., Hyd.
3 Commissioner and Director of AGri, Marketing Committee, Government of A.P., BRKR Bldgs, Tank Bund, Hyd.
4 The Secretary, Agrl., Market Committee, Nizamabad.
5 The Secretary, Agrl. Market Committee, Kishangunj.
6 The Secretary, Agrl. Market Committee, Armur, Nizamabad District.
7 The Secretary, Agrl. Market Committee, Nirmal, Nizamabad District.
8 The Secretary, Agrl. Market Committee, Metpally, Nizamabad District.
9 The Secretary, Agrl. Market Committee, Bhanswada, Nizamabad District.
10 The Secretary, Agrl. Market Committee, Badwel, Cuddapah "District.
11 The Secretary, Agrl. Market Committee, Mahabubnagar, Mahabubnagar Dist.
12 The Secretary, Agrl. Market Committee, Alampur, Mahabubnagar District.
13 The Secretary, Agrl. Market Committee, Gadwal, Mahaboobnagar District.
14 The Secretary, Agrl. Market Committee, Shadnagar, Mahaboobnagar District.
15 The Secretary, Agrl. Market Committee, Badepalli, Mahaboobnagar District.
16 The Secretary, Agrl. Market Committee, Achampet, Mahaboobnagar District.
17 The Secretary, Agrl. Market Committee, Madakur, Mahaboobnagar District.
18 The Secretary, Agrl. Market Committee, Huzurabad, Warangal District.
19 The Secretary, Agrl. Market Committee, Porumamilla.
20 The Secretary, Agrl. Market Committee, Chintakunta.
21 The Secretary, Agrl. Market Committee, Suryapet, Nalgonda District.
22 The Secretary, Agrl. Market Committee, Kodada, Nalgonda District.
23 The Secretary, Agrl. Market Committee, Kurnool.
24 The Secretary, Agrl. Market Committee, Allagadda, Kurnool district.
25 The Secretary, Agrl. Market Committee, Koyalakuntla, Kurnool District.
26 The Secretary, Agrl. Market Committee, Mantralaya, Kurnool District.
27 The Secretary, Agrl. Market Committee, Adoni, Kurnool District.
28 The Secretary, Agrl. Market Committee, Nandyal , Kurnool District.
29 The Secretary, Agrl. Market Committee, Yemmiganur, Kurnool District.
30 The Secretary, Agrl. Market Committee, Nandikottur, Kurnool District.
31 The Secretary, Agrl. Market Committee, Atmakur, Kurnool District.

32 The Secretary, Agrl. Market Committee, Allur, Kurnool District.
33 The Secretary, Agrl. Market Committee, Chintalapoodi, W.G.District.
34 The Secretary, Agrl. Market Committee, Jangareddy Gudem, W.G.District.
35 The Secretary, Agrl. Market Committee, Sattupally, W.G.District.
36 The Secretary, Agrl. Market Committee, Rajahmundry, E.G.District.
37 The Secretary, Agrl. Market Committee, Eluru, W.G.District.
38 The Secretary, Agrl. Market Committee, Jaggayyapet, Krishna District.
39 The Secretary, Agrl. Market Committee, Vijayawada, Krishna District.
40 The Secretary, Agrl. Market Committee, Nuzvidu, Krishna District.
41 The Secretary, Agrl. Market Committee, Narasaraopet, Guntur District.
42 The Secretary, Agrl. Market Committee, Giddalur, Prakasam District.
43 The Secretary, Agrl. Market Committee, Medak, Medak District.
44 Secretary, Agrl. Market Committee, Medchal, R.R. District.
45 Secretary, Agrl. Market Committee, Makthal, Mahaboobnagar District.
RR 44 & 45 are impleaded as per court order dt.
30-9-2004 in WPMP 22080 of 2004

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus directing the resondents and their ilk not to force the petitioner Company to obtain licence or pay market cess or restrain the petitioner's seed that is being transported or file criminal cases pursuant to their demand that the provisions of Agricultural Market Committee Act, 1966 are applicable to the petitioner Company in any manner and cause interference with the petitioner's marketing of the seed in any manner and consequently direct the respondents to return the amount of already collected rrom the petitioner under duress to the petitioner and.

Counsel for the Petitioner:MR.M.SIVANANDA KUMAR

Counsel for the Respondent Nos.1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent Nos.4 to 9, 11 to 18, 21, 22, and 43 to 45: Sri V.V.N.Narayana Rao, (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.10, 19, 20, and 23 to 32: Sri P.Bhanu Prakash, (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.33 to 42: Sri K.Madhava Reddy, (S.C.for Agricultural Market Committees)

WRIT PETITION NO : 14876 of 2004

Between:

M/s Emergent Genetics India Private Ltd., 8-2-120/86/5, Road No.3, Banjara Hills, Hyderabad- 034, rep.by its Manager (admn.) Shri S.B.Baheti, S/o Late Bhadrinarayana Baheti, aged 50 years

..... PETITIONER

AND

1 State of A.P.,rep.by Secretary, Agriculture and Co-operation (Mktg.) Department, Secretariat Buildings, Hyderabad
2 The Commissioner, Vigilance Department of the Civil Supplies, Civil Supplies Department, Hyderabad
3 Commissioner and Director of Agrl.Marketing Committee, Government of A.P., BRKR Building, Tank Bund, Hyderabad
4 Director General, Vigilance and Enforcement, BRKR Building, Tank Bund Road, Hyderabad
5 The Secretary, Agrl.Market Committee, Tirupathi, Chittoor District
6 The Secretary, Agrl.Market Committee, Srikalahasti, Chittoor District
7 The Secretary, Agrl.Market Committee, Madanapally, Chittoor District
8 The Secretary, Agricultural Market Committee, Chandragiri, Chittoor District
9 The Secretary, Agricultural Market Committee, Raichoti, Cuddapah District
10 The Secretary, Agricultural Market Committee, Rajampet, Cuddapah District
11 The Secretary, Agricultural Market Committee, Badvel, Cuddapah District
12 The Secretary, Agricultural Market Committee, Mydukur, Cuddapah District
13 The Secretary, Agricultural Market Committee, Allagadda, Cuddapah District
14 The Secretary, Agricultural Market Committee, Nandikotkur, Kurnool District
15 The Secretary, Agricultural Market Committee, Atmakur, Kurnool District
16 The Secretary, Agricultural Market Committee, Nandyal, Kurnool District
17 The Secretary, Agricultural Market Committee, Panyam, Kurnool District
18 The Secretary, Agricultural Market Committee, Koyalakuntla, Kurnool District
19 The Secretary, Agricultural Market Committee, Banaganapalli, Kurnool District
20 The Secretary, Agricultural Market Committee, Kurnool, Kurnool District
21 The Secretary, Agricultural Market Committee, Alampoor, Mahabubnagar District
22 The Secretary, Agricultural Market Committee, Emmiganur, Kurnool District
23 The Secretary, Agricultural Market Committee, Adoni, Kurnool District
24 The Secretary, Agricultural Market Committee, Done, Kurnool District
25 The Secretary, Agricultural Market Committee, Gadwal, Mahaboobnagar District
26 The Secretary, Agricultural Market Committee, Shadnagar, Mahabubnagar District
27 The Secretary, Agricultural Market Committee, Kothakota, Mahabubnagar District
28 The Secretary, Agricultural Market Committee, Jadcherla, Mahabubnagar District
29 The Secretary, Agricultural Market Committee, Kishangunj, Hyderabad District
30 The Secretary, Agricultural Market Committee, Nirmal, Adilabad District
31 The Secretary, Agricultural Market Committee, Bhainsa, Adilabad District
32 The Secretary, Agricultural Market Committee, Adilabad, Adilabad District
33 The Secretary, Agricultural Market Committee, Boath, Adilabad District
34 The Secretary, Agricultural Market Committee, Nizamabad, Nizamabad District
35 The Secretary, Agricultural Market Committee, Yellareddy, Nizamabad District
36 The Secretary, Agricultural Market Committee, Armoor, Nizamabad District
37 The Secretary, Agricultural Market Committee, Kamareddy, Nizamabad District
38 The Secretary, Agricultural Market Committee, Bhanswada, Nizamabad District
39 The Secretary, Agricultural Market Committee, Medchal, Ranga Reddy District
40 The Secretary, Agricultural Market Committee, Hanmakonda, Warangal District
41 The Secretary, Agricultural Market Committee, Huzurabad, Karimnagar District
42 The Secretary, Agricultural Market Committee, Suryapet, Nalgonda District

43 The Secretary, Agricultural Market Committee, Kodada, Nalgonda District
44 The Secretary, Agricultural Market Committee, Chintalapudi, West Godavari District
45 The Secretary, Agricultural Market Committee, Eluru, West Godavari District
46 The Secretary, Agricultural Market Committee, Jaggayyapet, Krishna District
47 The Secretary, Agricultural Market Committee, Jangareddygudem, West Godavari District
48 The Secretary, Agricultural Market Committee, Vijayawada, Krishna District
49 The Secretary, Agricultural Market Committee, Nuzividu, Krishna District
50 The Secretary, Agricultural Market Committee, Narasaraopet, Guntur District
51 The Secretary, Agricultural Market Committee, Cumbham, Prakasam District
52 The Secretary, Agricultural Market Committee, Markapuram, Prakasam District
53 The Secretary, Agricultural Market Committee, Macherla, Guntur District
54 The Secretary, Agricultural Market Committee, Dichpally, Nizamabad District
55 The Secretary, Agricultural Market Committee, Sangareddy, Medak District
56 The Secretary, Agricultural Market Committee, Rajendrangar, Ranga Reddy District
57 The Secretary, Agricultural Market Committee, Hyderabad
58 The Secretary, Agricultural Market Committee, Metpally, Nizamabad District
59 The Secretary, Agricultural Market Committee, Mahabubnagar, Mahabubnagar District
60 The Secretary, Agricultural Market Committee, Badepally, Mahabubnagar District
61 The Secretary, Agricultural Market Committee, Porumamilla, Cuddapah District
62 The Secretary, Agricultural Market Committee, Chintalakunta, Kurnool District
63 The Secretary, Agricultural Market Committee, Mantralayam, Kurnool District
64 The Secretary, Agricultural Market Committee, Allur, Kurnool District
65 The Secretary, Agricultural Market Committee, Sattupally, Khammam District
66 The Secretary, Agricultural Market Committee, Giddalur, Prakasam District
67 The Secretary, Agricultural Market Committee, Rajahmundry, East Godavari District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of mandamus, directing the respondents and their ilk not to force the petitioner company to obtain licence or pay market cess or restrain the petitioner's seed that is being transported file criminal cases pursuant to their demand that the provisions of Agricultural Market Committee Act, 1966 are applicable to the petitioner company in any manner and cause interference with the petitioner's marketing of the seed in any manner and consequently direct the respondents to return the amount already collected from the petitioner under duress to the petitioner

Counsel for the Petitioner:MR.M.SIVANANDA KUMAR

Counsel for the Respondent Nos.1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent Nos.5 to 24 and 61 to 64: Sri P.Bhanu Prakash (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.25 to 43, 54 to 60 and 65: Sri V.V.N.Narayana Rao, (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.44 to 53, 66 and 67: Sri K.Madhava Reddy (S.C. for Agricultural Market Committees)

WRIT PETITION NO : 13727 of 2004

Between:

Krishidhan Seeds Ltd., a company Regd. Under the companies Act, havingits H.O. at Jalna, Maharashtra and Branch Office at Kurnool, rep by Branch Manager Shri Surendra S. Taware, S/o Sudhakar, R/o Kurnool

..... PETITIONER

AND

1 State of A.P. rep by Secretary Agriculture and Co-operation (Mktg) Deptt., Secretariat Buildings, Hyderabad
2 The Commissioner, Vigilance Department of Civil Supplies, Civil Supplies Department, Hyderabad
3 Commissioner and Director of Agri. Marketing Committee, Governemnt of A.P. BRRK Building Tank Bund, Hyderabad
4 The Secrtary, Agriculture Market Committee, Nizamabad
5 The Secrtary, Agriculture Market Committee, Kishangunj, Hyderabad
6 The Secrtary, Agriculture Market Committee, Dichapalli, Nizamabad District
7 The Secrtary, Agriculture Market Committee, Armur, Nizamabad District
8 The Secrtary, Agriculture Market Committee, Nirmal, Nizamabad District
9 The Secrtary, Agriculture Market Committee, Metpalli, Nizamabad District
10 The Secrtary, Agriculture Market Committee, Bhanswada, Nizamabad District
11 The Secrtary, Agriculture Market Committee, Yadapalli, Nizamabad District
12 The Secrtary, Agriculture Market Committee, Bodhan, Nizamabad District
13 The Secrtary, Agriculture Market Committee, Madnoor, Nizamabad District
14 The Secrtary, Agriculture Market Committee, Bhainsa, Nizamabad District
15 The Secrtary, Agriculture Market Committee, Medchal, Ranga Reddy District
16 The Secrtary, Agriculture Market Committee, Shameerpet, Ranga Reddy District
17 The Secrtary, Agriculture Market Committee, Icnoda,
18 The Secrtary, Agriculture Market Committee, Badwel, Cuddapah District
19 The Secrtary, Agriculture Market Committee, Mahaboobnagar
20 The Secrtary, Agriculture Market Committee, Alampoor Mahaboobnagar district
21 The Secrtary, Agriculture Market Committee, Shadnagar, Mahaboobnagar district
22 The Secrtary, Agriculture Market Committee, Shadnagar, Mahaboobnagar district
23 The Secrtary, Agriculture Market Committee, Badepalli, Mahaboobnagar district
24 The Secrtary, Agriculture Market Committee, Achampet, Mahaboobnagar district
25 The Secrtary, Agriculture Market Committee, Mydukur, Cuddapah District
26 The Secrtary, Agriculture Market Committee, Huzurabad, Karimnagar District
27 The Secrtary, Agriculture Market Committee, Porumamilla, Cuddapah District
28 The Secrtary, Agriculture Market Committee, Chintakunta
29 The Secrtary, Agriculture Market Committee, Kurnool
30 The Secrtary, Agriculture Market Committee, Allagadda, Kurnool District
31 The Secrtary, Agriculture Market Committee, Koilakuntla, Kurnool District
32 The Secrtary, Agriculture Market Committee, Mantralayam, Kurnool District
33 The Secrtary, Agriculture Market Committee, Adoni, Kurnool District

34 The Secrtary, Agriculture Market Committee, Nandikotukur, Kurnool District
35 The Secrtary, Agriculture Market Committee, Aluru, Kurnool District
36 The Secrtary, Agriculture Market Committee, Nandyal, Kurnool District
37 The Secrtary, Agriculture Market Committee, Chintalapudi, West Godavari District
38 The Secrtary, Agriculture Market Committee, Sattupalli, Khammam district
39 The Secrtary, Agriculture Market Committee, Rajahmundry, East Godavari District
40 The Secrtary, Agriculture Market Committee, Eluru, West Godavari District
41 The Secrtary, Agriculture Market Committee, Vijayawada, Krishna District
42 The Secrtary, Agriculture Market Committee, Medak, Medak District
43 The Secrtary, Agriculture Market Committee, Madanapalli, Chittoor District
44 The Secrtary, Agriculture Market Committee, Punganoor, Chittoor District
45 The Secrtary, Agriculture Market Committee, Sanga Reddy, Medak District
46 The Secrtary, Agriculture Market Committee, Jogipeta, Medak District
47 The Secrtary, Agriculture Market Committee, Medak, Medak District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, direction more particulalry one in the nature of Writ of Mandamus, directing the respondents and their ilk not to force the petitioner company to obtain licence or pay market cess or restrain the petitioner's seed that is being transported or file cirminal cases pursuant to their demand that the provisions of Agricultural Market Committee, Act, 1966 are applicable to the petitioenr company in any manner and cause interference with the petitioenr's marketing of the seed in any manner and consequently direct the respondents to return the amount of Rs. already collected rfrom the petitioenr under duress to the petitioner

Counsel for the Petitioner:MR.M.SIVANANDA KUMAR

Counsel for the Respondent Nos.1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent Nos.4 to 17, 19 to 24, 26, 38, 42 and 45 to 47: Sri V.V.N.Narayana Rao (S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.18, 25; 27 to 36, 43 and 44: Sri P.Bhanu Prakash(S.C. for Agricultural Market Committees)

Counsel for the Respondent Nos.37; 39 to 41: Sri K.Madhava Reddy, (S.C. for Agricultural Market Committees)

WRIT PETITION NO : 14018 of 2004

Between:

Sri Venkateswara Hybrid Seeds Company By its Partner P. Sanath Kumar, R/o D.No. XII/240, Sharaff Bandaar, Gosha Hospital Road, Adoni.

..... PETITIONER

AND

1 The State of Andhra Pradesh, rep. by its Principal Secretary,
Agriculture & Cooperation (Marketing) Department, Secretariat, Hyderabad (A.P).
2 The Commissioner of Director of Marketing, Burugula Ramakrishna Rao Building, Near Tank Bund, Hyderabad (A.P).
3 The Agriculture Market Committee, Rep. by its Special Grade Secretary,
Adoni- 518 301 (A.P), Kurnool District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or writ more appropriately a Writ of Mandamus to declare impugned action of the respondents in insisting to pay the market fee on sale and purchase of 'SEEDS' as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding the market fee on the sale of purchase of Certified as well as truthfully Labelled Seed for sowing purpose from the petitioner company and also direct the respondents to refund the illegally collected market fee from the petitioner

Counsel for the Petitioner:MR.P.HARINATH GUPTA

Counsel for the Respondent Nos. 1 & 2: GP FOR Agriculture

Counsel for the Respondent No.3: Sri P.Bhanu Prakash, (S.C. for Agricultural Market Committees)

WRIT PETITION NO : 16333 of 2004

Between:

The Tanuku Consumers Co.operative Stores Ltd., Tanuku, West Godavari district, rep., by its Managing Director, Sri M.Ajaya Kumar, s/o Sri Sita Ramaiah, aged about 40 years, r/o Tanuku, West Godavari District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, represented by its Principal Secretary,
Agricultural and Co-operation (Marketing) Department, Secretariat, Hyderabad.
2 The Director of Marketing, Government of Andhra Pradesh,
Hyderabad.
3 The Agricultural Market Committee, Tanuku, represented by its Secretary,
Tanuku, West Godavari District.
4 The Andhra Pradesh State Seeds Development Corporation, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of the respondents in treating the paddy seed as notified agricultural produce and in levying and demanding market fees thereon as illegal and without any jurisdiction and anternatively to declare the action of the first respondent in refusing to grant exemption under Section 35 of the Andhra Pradesh Agricultural Market Fees Act, 1966 to the petitioner while granting exemption to the fourth respondent corporation as illegal, contrary to law and violative of Article 14 of the Constitution of India and further direct the first respondent to grant similar exemption to the petitioner

Counsel for the Petitioner:MR.M.V.DURGA PRASAD

Counsel for the Respondent Nos1 & 2.: GP FOR AGRICULTURE

Counsel for the Respondent No.3: Sri K. Madhava Reddy, (S.C. for Agricultural Market Committees)

WRIT PETITION NO : 16638 of 2004

Between:

M/s. Prithvi Agro Tech (Pvt) Ltd., rep. by its Managing Director L. Durga Prasad, S/o. L. Saidaiah, R/o. 51-8, Prithvi House, Beside Anjali, Theatre, Kurnool.

..... PETITIONER

AND

1 The Govt of A.P., rep. by its Secretary, Agriculture & Co-Op. Marketing, Govt of A.P., Hyderabad.
2 The Commissioner and Director of Marketing, Govt of A.P.,, Hyderabad.
3 The Secretary, Agricultural Market, Committee, Kurnool, Kurnool District.
4 The Secretary, Agricultural Marketing Committee, Nandyal, Kurnool District.
5 The Secretary, Agricultural Marketing Committee, Wanaparthi,

Mahaboobnagar District.
6 The Secretary, Agricultural Marketing Committee, Mahaboobnagar,

Mahaboobnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue any order or direaction or writ in the nature of Mandamus declaring that the respondents are not entitled to apply in any manner the A.P. (Agricultural Produce & Livestocks) Market Act, 1966 as the Manufacturing, purchase, sale of seeds does not come within the purview of the said Act, as also that all or any actions of the

respondents invoking the privisions of A.P. Agricultural produce & Livestock) Market Act 1966 on the sale and purchase of Certified seeds are illegal arbitrary and without jurisdiction as also consequentionally declare the proceedings under the show cause notice No.12/2004 dt.16.4.2004 and show cause notice No.12/2004 dt. 31.7.2004 as null and void and without jurisdiction and direct the respondents to refund the market fee of Rs. 3.94,379/- illegaly collected from the petitioenr company, and pass.

Counsel for the Petitioner:SMT.M.KAVITHA

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent Nos.3 to 5: Sri P.Bhanu Prakash, S.C. for Agricultural Market Committees

Counsel for the Respondent No.6: Sri V.V.N. Narayana Rao, S.C. for Agricultural Market Committees

WRIT PETITION NO : 18943 of 2004

Between:

M/s.Hi Gene Seed Technologies rep., by its Managing Partner, G.Visheshwar Chowdary, s/o Koteshwara Rao, r/o Plot No.68, No.1-30-86, First Floor, Jayanagar, New Bowenpally, Secunderabad.11.

..... PETITIONER

AND

1 The Government of Andhra Pradesh rep., by Secretary, Agricultural & Co.op.Marketing Department, Secretariat, Hyderabad.
2 The Commissioner & Director of Marketing, Government of A.P., Hyderabad.
3 The Commissioner, Vigillance Department of Civil Supplies Department, Hyderabad.
4 The Director General, Vigillance and Enforcement, BRKR Building, Tank Bund Road, Hyderabad.
5 The Secretary, Agricultural Market Committee, Nandyal, Kurnool District.
6 The Secretary, Agricultural Market Committee, Kurnool, Kurnool District.
7 The Secretary, Agricultural Market Committee, Alampoor, Mahabubnagar District.
8 The Secretary, Agricultural Market Committee, Nirmal, Adilabad District.
9 The Secretary, Agricultural Market Committee, Bhainsa, Adilabad, Adilabad District.
10 The Secretary, Agricultural Market Committee, Nizamabad, Nizamabad District.
11 The Secretary, Agricultural Market Committee, Armoor, Nizamabad District.
12 The Secretary, Agricultural Market Committee, Medchal, Rangareddy District.
13 The Secretary, Agricultural Market Committee, Chintalapudi, West Godavari District.
14 The Secretary, Agricultural Market Committee, Eluru, West Godavari District.
15 The Secretary, Agricultural Market Committee, Jangareddygudem, West Godavari District.

16 The Secretary, Agricultural Market Committee, Hyderabad.
17 The Secretary, Agricultural Market Committee, Porumamilla, Cuddapah District.
18 The Secretary, Agricultural Market Committee, Satupally, Khammam District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order or direction or writ one in the nature of Mandamus declaring that the respondents are not entitled to apply the provisions of A.P. (Agricultural Produce & Live Stock) Market Act, 1966 as the manufacturing purchase, sale of seeds do not come within the purview of the said Act as also that all or any actions of the respondents invoking the provisions of A.P. (Agricultural Produce and Live Stock Market Act, 1966 for the purpose of levying market fee on the sale and purchase of certified seeds are illegal, arbitrary and withoyt jurisdiction

Counsel for the Petitioner:SMT.M.KAVITHA

Counsel for the Respondent Nos. 1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent Nos.5, 6 and 17: Sri P.Bhanu Prakash, S.C. for Agricultural Market Committees

Counsel for the Respondent Nos.13 to 15: Sri K.Madhava Reddy, S.C. for Agricultural Market Committees

WRIT PETITION NO : 16733 of 2004

Between:

Proagro Seed Company Private Limited, (A Registered Company under Companies Act, 1956) at 8-1-39, Qutub Shahi Tombs Road, Toli Chowki, Hyderabad-008, rep., by its Legal Manager, Ms.Sai Rama Devi

..... PETITIONER

AND

1 The Government of Andhra Pradesh, by its Secretary, Agriculture & Coop. (Mktg.II), Department, Secretariat, Hyderabad.
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh at Hyderabad.
3 The Secretary, Agricultural Market Committee, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue an appropriate writ, order, or direction, particularly one in the nature of writ of mandamus,declaring the action of the respondents in demanding the market fee from the petitioner on the purchase and sale of seed under the A.P.(Agricultural Produce & Livestock) Markets Act, 1966 as illegal, without jurisdiction and pass an consequential direction prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of certified as well as truthfully labeled seed for sowing purpose from the petitioner company and also direct the respondents to refund the amounts illegally collected towards market fee an extent of Rs.34,08,359/- from the petitioner

Counsel for the Petitioner:MR.GOLI.RAMA KRISHNA

Counsel for the Respondent Nos.1 and 2: GP FOR AGRICULTURE

Counsel for the Respondent No.3: Sri V.V.N.Narayana Rao, S.C. for Agricultural Market Committee

WRIT PETITION NO : 11841 of 2004

Between:

M/S.Pravardhan Seeds Private Limited Company Regd.under the Comapnies Act, 1956, rep., by its Marketing Manager Shri D.Nageswara Rao, s/o Bhadraiah, 8-II, Lalbahadur Stadium, Hyderabad-500 001.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep., by its Secretary, Agricultural & Co.op.(Mktg.II) Department, Secretariat Building, Hyderabad.
2 The Commissioner & Director of Marketing Government of Andhra Pradesh, Hyderabad.
3 The Secretary, Agricultural Market Committee, Kurnool, Kurnool District.
4 The Secretary, AgriculturalMarket Committee, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ of mandamus or any other appropriate writ order or direction declaring the action of the respondents in demanding and collecting Market Fee from the petitioner on the purchase and Sale of "Seed" under the A.P.(Agricultural Produce & Livestock) Market Act, 1966, as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of Certified as well as Truthfully Labeled Seed for sowing purpose from the petitioner company and also direct the respondents to refund the illegally collected market fee of Rs.4,91,000/- from the petitioner

Counsel for the Petitioner:MR.D.KRISHNA MURTHY

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent No.3: Sri P. Bhanu Prakash, S.C. for Agricultural Market Committee

Counsel for the Respondent No.4: Sri V.V.N.Narayana Rao, S.C. for Agricultural Market Committee

WRIT PETITION NO : 16783 of 2004

Between:

Hydrid Rice International Pvt. Ltd., Admn. Office at 8-1-39, Tolichowki Hyderabad, rep by Manager (Legal), Ms. Sai Rama Devi

..... PETITIONER

AND

1 The Government of Andhra Pradesh rep by Secretary, Agriculture & Coop. (MktgII) Dept., Secretariat, Hyderabad
2 The Commissioner & Director of Marketing, Governmetn of Andhra Pradesh, Hyderabad
3 The Secretary, Agricultrural Market Committee, Hyderabad

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order, or direction, particulalry one in the nature of Writ of Mandamus, declaring the action of the respondents in demanding the market fee from the petitioner on the purchase and sale of seed under the A.P. (Agricultural PRoduce & Livestock) Markets Act, 1966 as illegal, without jurisdiction and pass an consequential direction prohibiting the respondents from demanding and collecting the market fee on the sale and purchase of Certified as well as truthfully labeled seed for sowing purpose from the petitioenr company and also direct the respondents to refund the amounts illegally collected towards market fee an extent of Rs. 22,76,195 from the year 2002 to 2005 1- From the petitioner

Counsel for the Petitioner:MR.GOLI.RAMA KRISHNA

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent No.4: Sri V.V.N.Narayana Rao, S.C. for Agricultural Market Committee

WRIT PETITION NO : 17281 of 2004

Between:

M/s. Aruna Seeds Pvt. Ltd., rep.by the Managing Director, Mr.J.Chandra Sekhara Rao,S/o.Late J.Ganga Rao, O/o.3-5-806/2, plot No.507, Swamy Towers, Hyderguda, Hyderabad.-A.P.

..... PETITIONER

AND

1 Govt. of A.P.,rep.by its Prl.Secretary, Agrl. & Coop. (Marketing) Dept., Secretariat, Hyderabad.
2 Commissioner & Director of Marketing, Burgula Ramakrishna Rao Building, Near Tank Bund, Hyderabad. A.P.
3 The Director General of Vigilance & Enforcement, Burgula Ramakrishna Rao Building, Near Tank Bund, Hyderabad.
4 The Agrl. Market Committee, rep.by its Secty, Kishangunj, Hyderabad.
5 The Agrl. Market Committee, rep.by its Secretary, Nizamabad-A.P.
6 The Agrl. Market Committee, rep.by its Secretary, Armoor, Nizamabad Dist.
7 The Agricultural Market Committee, rep.by its Secretary, Nirmal, Adilabad District.
8 The Agricultural Market Committee, rep.by its Secretary, Metpalli, Karimnagar Dist.
9 The Agricultural Market Committee, rep.by its Secretary, Bhanswada, Nizamabad Dist.
10 The Agricultural Market Committee, rep.by its Secretary,Mahaboobnagar (Post and Dist.)A.P.
11 The Agricultural Market Committee, rep.by its Secretary, Alampur, Mahaboobnagar Dist.
12 The Agricultural Market Committee, rep.by its Secretary, Gadwal, Mahaboobnagar Dist.
13 The Agricultural Market Committee, rep.by its Secretary,Shadnagar, Mahaboobnagar Dist.
14 The Agricultural Market Committee, rep.by its Secretary, Badepalli, Mahaboobnagar Dist.
15 The Agricultural Market Committee, rep.by its Secretary,Makthal, Mahaboobnagar Dist.
16 The Agricultural Market Committee, rep.by its Secretary, Huzurabad,Karimnagar Dist.
17 The Agricultural Market Committee, rep.by its Secretary,Atmakur, Mahaboobnagar Dist.
18 The Agricultural Market Committee, rep.by its Secretary,Dammapeta, Khammam Dist.
19 The Agricultural Market Committee, rep.by its Secretary, Bodhan,Nizamabad Dist.
20 The Agricultural Market Committee, rep.by its Secretary,Karimnagar Post & Dist. A.P.
21 The Agricultural Market Committee, rep.by its Secretary, Siddipet, Medak Dist.
22 The Agricultural Market Committee, rep.by its Secretary, Ibrahimpatnam, RR Dist.
23 The Agricultural Market Committee, rep.by its Secretary, Jagitial,Karimnagar
24 The Agricultural Market Committee, rep.by its Secretary, Jogipet, Medak Dist.

25 The Agricultural Market Committee, rep.by its Secretary, Kallur, Khammam Dist.
26 The Agricultural Market Committee, rep.by its Secretary, Khammam Post & Dist.
27 The Agricultural Market Committee, rep.by its Secretary, Kodakondla, Warangal Dist.
28 The Agricultural Market Committee, rep.by its Secretary, Sattupally, Khammam Dist.
29 The Agricultural Market Committee, rep.by its Secretary, Koratla, Karimnagar Dist.
30 The Agricultural Market Committee, rep.by its Secretary, Kothagudem, Khammam Dist.
31 The Agricultural Market Committee, rep., by its Secretary, Marpally, Ranga Reddy District.
32 The Agricultural Market Committee, rep., by its Secretary, Narayankhad, Medak District.
33 The Agricultural Market Committee, rep., by its Secretary, Narsampet, Warangal District.
34 The Agricultural Market Committee, rep., by its Secretary, Narsapur, Medak District.
35 The Agricultural Market Committee, rep., by its Secretary, Parakal, Warangal District.
36 The Agricultural Market Committee, rep., by its Secretary, Pitlam, Nizamabad District.
37 The Agricultural Market Committee, rep., by its Secretary, Pothugal, Karimnagar District.
38 The Agricultural Market Committee, rep., by its Secretary, Shankarpalli, Ranga Reddy District.
39 The Agricultural Market Committee, rep., by its Secretary, Thorrur, Warangal District.
40 The Agricultural Market Committee, rep., by its Secretary, Waira, Khammam District.
41 The Agricultural Market Committee, rep., by its Secretary, Kesamudram, Warangal District.
42 The Agricultural Market Committee, rep., by its Secretary, Peddapalli, Karimnagar District.
43 The Agricultural Market Committee, rep., by its Secretary, Jangaon, Warangal District.
44 The Agricultural Market Committee, rep., by its Secretary, Kamareddy, Nizamabad District.
45 The Agricultural Market Committee, rep., by its Secretary, Sircilla, Karimnagar District.
46 The Agricultural Market Committee, rep., by its Secretary, Chintalapudi, W.G.District.
47 The Agricultural Market Committee, rep., by its Secretary, Gannavaram, Krishna District.
48 The Agricultural Market Committee, rep., by its Secretary, Rajahmundry, E.G.District.
49 The Agricultural Market Committee, rep., by its Secretary, Eluru, West Godavari District.
50 The Agricultural Market Committee, rep., by its Secretary, Jaggayapeta, Krishna District.
51 The Agricultural Market Committee, rep., by its Secretary,Vijayawada, Krishna District.
52 The Agricultural Market Committee, rep., by its Secretary, Nuzividu, Krishna

District.
53 The Agricultural Market Committee, rep., by its Secretary, Kothapeta, East Godavari Dist.
54 The Agricultural Market Committee, rep., by its Secretary, Nagaram, E.G.Dist.
55 The Agricultural Market Committee, rep., by its Secretary, Mylavaram, Krishna District.
56 The Agricultural Market Committee, rep., by its Secretary, Penugonda, W.G.Dist.
57 The Agricultural Market Committee, rep., by its Secretary, Polavaram at Jangareddygudem Post West Godavari Dist.
58 The Agricultural Market Committee, rep., by its Secretary, Tiruvur, Krishna District.
59 The Agricultural Market Committee, rep., by its Secretary, Vuyyur, Krishna District.
60 The Agricultural Market Committee, rep., by its Secretary, Kurnool
61 The Agricultural Market Committee, rep., by its Secretary, Atmakur, Kurnool Dist.
62 The Agricultural Market Committee, rep., by its Secretary, Alur Kurnool Dist
63 The Agricultural Market Committee, rep., by its Secretary, Uravakonda, Ananthapur Dist.
64 The Agricultural Market Committee, rep., by its Secretary,Rayadrug, Ananthapur Dist.
65 The Agricultural Market Committee, rep., by its Secretary,Hindupur, Ananthapur Dist.
66 The Agricultural Market Committee, rep., by its Secretary, Guntakal, Ananthapur Dist.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or writ more appropriately a writ of Mandamus to declare the impugned action of the respondents in insisting to take licence and to pay the market fee on sale and purchase of 'seeds' as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding to take licence and to pay the market fee on the sale and purchase of certified and Truthfully Labelled seed for sowing purpose from the petitioner and also direct the respondents to refund the illegally collected market fee from the petitioner and pass.

Counsel for the Petitioner:MR.K.RAJANNA Counsel for the Respondent Nos.1 to 3: GP FOR AGRICULTURE Counsel for the Respondent Nos.4 to 45: Sri V.V.N.Narayana Rao, S.C. for Agricultural Market Committees. Counsel for the Respondent Nos.46 to 59: Sri K.Madhava Reddy, S.C. for Agricultural Market Committees Counsel for the Respondent Nos.60 to 66: Sri P.Bhanu Prakash, S.C. for Agricultural Market Committees

WRIT PETITION NO : 12999 of 2004

Between:

Sri Maanikeswari Seeds Agency, Rep by its Proprietor,
K.M. Mallikarjuna, S/o. K.M. Chenna Veeraiah, R/o. D.No. XX-79/H, Dymish Compound, E.S.I. Hospital Road, Adoni - 518 031 (A.P.) Kurnool District.

..... PETITIONER

AND

1 State of Andhra Pradesh, Rep by its Principal Secretary,
Agriculture & Cooperation (Marketing) Department, Secretariat, Hyderabad(A.P).
2 Commissioner and Director of Marketing, Burgula Ramakrishna Rao
Building, Near Tank Bund, Hyderabad (A.P).
3 Agricultural Market Committee, Rep by its Special Grade Secretary,
Adoni - 518 301 (A.P) Kurnool District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order or direction or writ more appropriately a Writ of Mandamus to declare impugned action of the respondents in insisting to take the licence and to pay the market fee on sale and purchase of 'Seeds' as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding the market fee on the sale of purchase of certified as well as Truthfully Labelled Seed for sowing purpose from the petitioner agency and also direct the respondents to refund the illegally collected market fee from the petition and pass

Counsel for the Petitioner:MR.K.RAJANNA

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent No.3: Sri P.Bhanu Prakash, S.C. for Agricultural Market Committee

WRIT PETITION NO : 17559 of 2004

Between:

Bhuvaneswari Seeds Centre, Adoni repby Proprietor, S. Purushotham Reddy S/o S. Somi Reddy D. No. 15/398, Vicatoria Peta, Adoni, Kurnool District

..... PETITIONER

AND

1 State of Andhra Pradesh, rep by Principal Secretary, Agriculture & Cooperation (Marketing) Department Secretariat, Hyderabad
2 The Commissioner and Director of Marketing Burgula Ramakrishna Rao Building, Near Tank Bund, Hyderabad
3 Agricultural Market Committee, rep by Special Grade Secretary,
Adoni Kurnool District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue a Writ, order or direction more particularly one in the nature of writ of Mandamus declare the impugned proceedings NO. Roc No. 498/1/A/2002, 498/A/B/2002, 498/1/C/2002 and 498/1/D/2002, dt 31-10-2002 passed by the 3rd respondent which were received by the petitioner on 10-6-2003 levying/assessing market fee on sale and purchase of Seeds andalso demanding for the current years, as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from collecting/demanding the market fee on the sale and purchase of Certified as well as truthfully Labelled seed for sowing purpose from the petitioner

Counsel for the Petitioner:MR.B.VIJAYA BHASKER

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent No.3: Sri P.Bhanu Prakash, S.C. for Agricultural Market Committee

WRIT PETITION NO : 17778 of 2004

Between:

1 Mahyco Seeds Limited, Kallakal, Toopran Mandal,
Medak District. Both Rep. by its Senior Manager (Works)
Mr. Katti Laxminarasimha,
2 Mahyco Vegetable Seeds Limited, Kallakal, Toopran Mandal,
Medak District. Both Rep. by its Senior Manager (Works)
Mr. Katti Laxminarasimha,

..... PETITIONER(S)

AND

1 State of A.P., rep. by Secretary,
Agrilculture and Co-Operation (Mktg) Dept., Secretarit, Building, Hyd.
2 The Commissioner, Vigilance Department of Civil Supplies,
Civil Supplies Department, HYd.
3 Commissioner of Director of Agrl. Marketing Committee, Govt of A.P. BRRK Building, Tank Bund, HYd.
4 The Secretary, Agrl. Market Committee, Nizamabad.
5 the Secretary, Agrl. Market Committee, Kishangunj.
6 The Secretary, Agrl. Market Committee, Armur, Nizamabad District.
7 The Secretary, Agrl. Market Committee, Nirmal, Nizamabad District.
8 The Secretary, Agrl. Market Committee, Metpally, Nizamabad District.
9 The Secretary, Agrl. Market Committee, Bhanswada, Nizamabad District.
10 The Secretary, Agrilculture, Market Committee, Badwel, Cuddapah District.
11 The Secretary, Agrilculture, Market Committee, Mahaboobnagar.
12 The Secretary, Agrilculture, Market Committee, Alampur, Mahaboobnagar District.
13 The Secretary, Agrilculture, Market Committee, Gadwal, Mahaboobnagar Dist.
14 The Secretary, Agrilculture, Market Committee, Shadnagar, Cuddapah District.

15 The Secretary, Agrilculture, Market Committee, Badepalli, Cuddapah Dist.
16 The Secretary, Agrilculture, Market Committee, Atchampet, Cuddapah Dist.
17 The Secretary, Agrilculture, Market Committee, Mydakur, Cuddapah Dist.
18 The Secretary, Agrilculture, Market Committee, Huzurabad, Cuddapah Dist.
19 The Secretary, Agrilculture, Market Committee, Porumamilla.
20 The Secretary, Agrilculture, Market Committee, Chlintakunta.
21 The Secretary, Agrilculture, Market eemmittee, Suryapet, Nalgonda District.
22 The Secretary, Agrilculture, Market Committee, Kodada, Nalgonda District.
23 The Secretary, Agrilculture, Market Committee, Kurnool District.
24 The Secretary, Agrilculture, Market Committee, Allagadda, Kurnool District.
25 The Secretary, Agrilculture Market Committee, Koyalakuntala, Kurnool Dist.
26 The Secretary, Agrilculture, Market Committee, Mantralaya, Kurnool Dist.
27 The Secretary, Agrilculture, Market Committee, Adoni, Kurnool District.
28 The Secretary, Agrilculture, Market Committee, Nandyal, Kurnool District.
29 The Secretary, Agrilculture, Market Committee, Yemmiganur, Kurnool Dist.
30 The Secretary, Agrilculture, Market Committee, Nandikotkur, Kurnool Dist.
31 The Secretary, Agrilculture, Market Committee, Atmakur, Kurnool District.
32 The Secretary, Agrilculture, Market Committee, Allur, Kurnool District.
33 The Secretary, Agrilculture, Market Committee, Chintalapoodi, West Godavari District.
34 The Secretary, Agrilculture, Market Committee, Jangareddy Gudem, W.G.District.
35 The Secretary, Agrilculture, Market Committee, Sattypally, W.G.District.
36 The Secretary, Agrilculture, Market Committee, Rajahmundry, E.G.District.
37 The Secretary, Agrilculture, Market Committee, Eluru, E.G.District.
38 The Secretary, Agrilculture, Market Committee, Jaggayyapet, Krishna Dist.
39 The Secretary, Agrilculture, Market Committee, Vijayawada, Krishna Dist.
40 The Secretary, Agrilculture, Market Committee, Njuzividu, Krishna District.
41 The Secretary, Agrilculture, Market Committee, Narasaraopet, Guntur Dist.
42 The Secretary, Agrilculture, Market Committee, Giddalur, Prakasam District.
43 The Secretary, Agrilculture, Market Committee, Medak Medak District.
44 The Secretary, Agrl. Market Committee, Gajwel, Medak District.
45 The Secretary, Agrl. Market Committee, Itchapura, Srikakulam District.
46 The Secretary, Agrl. Market Committee, Pamur, Prakasam District.
47 The Secretary, Agrl. Market Committee, allagadda, Kurnool District.
48 The Secretary, Agrl. Market Committee, Armoor, Nizamabad District.
49 The Secretary, Agrl. Market Committee, Sirukonda, Nizamabad District.
50 The Secretary, Agrl. Market Committee, Nirmal, Adilabad District.
51 The Secretary, Agrl. Market Committee, Kandukur, Prakasam District.
52 The Secretary, Agrl. Market Committee, Khammam.
53 The Secretary, Agrl. Market Committee, Pedanandipadu, Guntur District.
54 The Secretary, Agrl. Market Committee, Dachepalli, Guntur District.
55 The Secretary, Agrl. Market Committee, Jagityal, Karimnagar District.

56 The Regional Vigilance & Enforcement Officer, Hyderabad Region,

II floor, BRKR Bhavan, Hyderabad.

57 The Secretary, Agricultural Market Committee, Sangareddy, Medak Dist.

(Respondents 56 & 57 impleaded as per Court order dt.8.02.2005, in

W.P.M.P.No.26824 of 2004)

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, directing the respondents and their ilk not to force the Petitioner Company to obtain licence or pay market cess or to demand any records, registers, Statement of Accounts or restrian the Petitioners seed that being transported or file criminal cases pursuant to their demand that the privisions of Agricultural Market Committeee Act, 1966 are applicable to the Petitioner Company in any manner and cause interference with the Petitioners marketing of the seed in any manner and consequently direct the respondents to return the amount already coolected from the Petitioner under duress to the Petitioner, otherwise the Petitioner company will suffer serious hardship.

Counsel for the Petitioner:MR.C.M.R.VELU

Counsel for the Respondent : GP FOR Agriculture FOR R1 TO R3

Counsel for the Respondent Nos.33 to 42; 45, 46, 51, 53 and 54: Sri K.MADHAVA REDDY (SC FOR AGRL.MRKT.COMTTS)

Counsel for the Respondent Nos.10; 14 to 20; 23 to 32 and 47: Sri P.Bhanu Prakash, S.C. for Agricultural Market Committees

Counsel for the Respondent Nos.4 to 9; 11 to 13, 21, 22, 43, 44; 48 to 50 and 55: Sri V.V.N.Narayana Rao, S.C. for Agricultural Market Committees

WRIT PETITION NO : 20043 of 2004

Between:

Mahagujarat Seeds Private Limited, rep., by the Chairman Ashok N.Joshi, s/o Nathuram Joshi, Corporate Office at 29, Devi Complex, Subhash Road, Nagapur-18, Branch Office at Shed No.9, Plot No.23, Industrial Estate, Kallur, Kurnool-518 003 (A.P.)

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by the Principal Secretary, Agriculture and Cooperation (Marketing)Department, Secretariat, Hyderabad. A.P.,
2 Commissioner and Director of Marketing Burgula Ramakrishna Rao Building, Near Tank Bund, Hyderabad A.P.
3 Director General Vigillence and Enforcement, Govt. of A.P., Burgula Ramakrishna Rao Building, Near Tank Bund, Hyderabad A.P.,
4 Agricultural Market Committee, rep., by the Secretary, Kurnool-518 003. A.P.,
5 Agricultural Market Committee, rep., by the Secretary, Nandyal, Kurnool (District) A.P.,
6 Agricultural Market Committee, rep., by the Secretary Adoni, Kurnool Dist.
7 Agricultural Market Committee,rep., by the Secretary, Alur, Kurnool (District)
8 Agricultural Market Committee, rep., by the Secretary, Sadasivapet, Medak

District.
9 Agricultural Market Committee, rep., by the Secretary, Hyderabad (Post & District) A.P.,
10 Agricultural Market Committee, rep., by the Secretary, Warangal (Post & District) A.P.,

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ order or direction more particularly one in the nature of writ of mandamus to declare the impugned action of the respondents in insisting to take licence and to pay the market fee on sale and purchase of "SEEDS" as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding to take licence and the market fee on the sale and purchase of certified and truthfully labelled seed for sowing purpose from the petitioner and also direct respondents to refund the illegally collected market fee from the petitioner and to pass

Counsel for the Petitioner:MR.K.RAJANNA

Counsel for the Respondent Nos.1 to 3: GP FOR AGRICULTURE

Counsel for the Respondent Nos. 4 to 7: Sri P.Bhanu Prakash, S.C. for Agricultural Market Committees

Counsel for the Respondent Nos.8 to 10: Sri V.V.N.Narayana Rao, S.C. for Agricultural Market Committees

WRIT PETITION NO : 20413 of 2004

Between:

Pasumarthi Adinarayana Sons, rep., by its Proprietor Sri Rama Murthy, s/o Adinarayana, r/o Chodavaram, Visakhapatnam District.

..... PETITIONER

AND

1 Government of A.P., rep., by its Secretary, Food and Agriculture (marketing) Department, Hyderabad.
2 The Asst.Director of Marketing, Visakhapatnam.
3 The Agricultural Market Committee, Chodavaram, Visakhapatnam District, rep., by its Secretary
4 The General Manager (Marketing), Andhra Pradesh State Seeds Development Corporation Limited, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order or direction or writ more appropriately a writ of mandamus to declare

the impugned action of the respondents 1 to 3 in insisting to take license and to pay the market fee on sale and purchase of "SEEDS" as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding to take license and to pay the market fee on the sale and purchase of certified/Labelle Seed for sowing purpose from the petitioner and also direct the respondents to refund the illegally collected market fee from the petitioner and pass

Counsel for the Petitioner:MR.B.DEVANAND

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent No.3: Sri K.Madhava Reddy, S.C. for Agricultural Market Committees

WRIT PETITION NO : 20729 of 2004

Between:

Tangudu Vishnumurthy, S/o.Late Subbiddi,
R/o.8-69, old Bus Stand, Tekkali, Srikakulam Dist.

..... PETITIONER

AND

1 Government of Andhra Pradesh, rep.by its Secretary, Food & Agriculture (Marketing) Department, Hyderabad.
2 The Joint, Director of Marketing, Srikakulam.
3 The Agricultural Marketing Committee, Tekkali, Head office at Kasibugga, Srikakulam Dist. rep.by its Secretary.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or writ more appropriately a writ of mandamus to declare the impugned action of the respondents 1 to 3 in insisting to take license and to pay the market fee on sale and purchase of certified and 'Truthfully Labelled Seeds' as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding to take license and to pay the market fee on the sale and purchase of certified and Truthfully Labelle seed for sowing purpose from the petitioner and also direct the respondents to refund the illegally collected market fee from the petitioner and pass.

Counsel for the Petitioner:MR.B.DEVANAND

Counsel for the Respondent Nos.1 & 2: GP FOR AGRICULTURE

Counsel for the Respondent No.3 : MR.K.MADHAVA REDDY, S.C. for Agricultural Market Committee

WRIT PETITION NO : 21353 of 2004

Between:

M/s Sri Ramakrishna Seeds & Pesticides, E-4/2, 4/3, Industrial Estate, Padmanagar,Karimnagar,Karimnagar Dist
Rep. by its Managing Partner - S. Kamalakar Rao S/o Ranga Rao, aged 69 years, R/o H.No. 7-2-672,
Mankamma Thota, Karimnagar, Karimanagar District.

..... PETITIONER

AND

1The Government of Andhra Pradesh, Rep. by its Secretary, Agricultural & Coop. (Mktg.II) Department, Secretariat Building, Hyderabad.
2The Commissioner & Director of Marketing, Government of Andhra Pradesh, Hyderabad.
3The Secretary, Agricultural Market Committee, Karimnagar, Karimnagar District.
4The Secretary, Agricultural Market Committee, Vemulawada, Karimnagar District.
5The Secretary, Agricultural Market Committee, Sircilla, Karimnagar District.
6The Secretary, Agricultural Market Committee, Jagtial, Karimnagar District.
7The Secretary, Agricultural Market Committee, Peddapally, Karimnagar District.
8The Secretary, Agricultural Market Committee, Sultanabad, Karimnagar District.
9The Secretary, Agricultural Market Committee, Manthini, Karimnagar District.
10The Secretary, Agricultural Market Committee, Korutla, Karimnagar District.
11The Secretary, Agricultural Market Committee, Gangadhara, H.Q at Choppadandi, Karimnagar District.
12The Secretary, Agricultural Market Committee, Husnabad, Karimnagar District.
13The Secretary, Agricultural Market Committee, Huzurabad, Karimnagar District.
14The Secretary, Agricultural Market Committee, Jammikunta, Karimnagar District.
15The Secretary, Agricultural Market Committee, Dharmaram Karimnagar District.
16The Secretary, Agricultural Market Committee, Gollapally, Karimnagar District.
17The Secretary, Agricultural Market Committee, Warangal, Warangal District.
18The Secretary, Agricultural Market Committee, Ghanpoor, Warangal District.
19The Secretary, Agricultural Market Committee, Kesamudram, Warangal District.
20The Secretary, Agricultural Market Committee, Mahabubabad, Warangal District.
21The Secretary, Agricultural Market Committee, Jangaon, Warangal District.
22The Secretary, Agricultural Market Committee, Torror, Warangal District.
23The Secretary, Agricultural Market Committee, Narsampet, Warangal District.
24The Secretary, Agricultural Market Committee, Cheriyal, Warangal District.
25The Secretary, Agricultural Market Committee, Wardhannapet at Illandu, Warangal District.
26The Secretary, Agricultural Market Committee, Mulugu, Warangal District.

27The Secretary, Agricultural Market Committee, Medak, Medak District.
28The Secretary, Agricultural Market Committee, Siddipet, Medak District.
29The Secretary, Agricultural Market Committee, Gajwel (Pragnapoor), Medak District.
30The Secretary, Agricultural Market Committee, Bhongir, Nalgonda District.
31The Secretary, Agricultural Market Committee, Alair, Nalgonda District.
32The Secretary, Agricultural Market Committee, Miryalaguda, Nalgonda District.
33The Secretary, Agricultural Market Committee, Suryapet, Nalgonda District.
34The Secretary, Agricultural Market Committee, Chityal, Nalgonda District.
35The Secretary, Agricultural Market Committee, Kodad, Nalgonda District.
36The Secretary, Agricultural Market Committee, Shadnagar, Mahaboobnagar District.
37The Secretary, Agricultural Market Committee, Wanaparthi Road, Mahaboobnagar District.
38The Secretary, Agricultural Market Committee, Wanaparthi Town, Mahaboobnagar District.
39The Secretary, Agricultural Market Committee, Badeplly, Mahaboobnagar District.
40The Secretary, Agricultural Market Committee, Khammam,Khammam District..
41The Secretary, Agricultural Market Committee, Kothagudem, Khammam District.
42The Secretary, Agricultural Market Committee, Yellandu, Khammam District.
43The Secretary, Agricultural Market Committee, Bhadrachalam, Khammam District.
44The Secretary, Agricultural Market Committee, Mancherial H.Q (Mandamarri,Mancherial, Jannaram) Adilabad District.
45The Secretary, Agricultural Market Committee, Asifabad at Bellampally,Adilabad District.
46The Secretary, Agricultural Market Committee, Khanpoor, Adilabad District.
47The Secretary, Agricultural Market Committee, Utnoor H.Q at Indravelli, Adilabad District.
48The Secretary, Agricultural Market Committee, Luxettipet, Adilabad District.
49The Secretary, Agricultural Market Committee, Kishangunj, Hyderabad.
50The Secretary, Agricultural Market Committee, Kurnool, Kurnool District.
51The Secretary, Agricultural Market Committee, Done, Kurnool District.
52The Secretary, Agricultural Market Committee, Anantapur, Anantapur District.
53The Secretary, Agricultural Market Committee, Dharmavaram, Anantapur District.
54The Secretary, Agricultural Market Committee, Kadapa, Kadapa District.
55The Secretary, Agricultural Market Committee, Rajampet, Kadapa District.
56The Secretary, Agricultural Market Committee, Proddatur, Kadapa District.
57The Secretary, Agricultural Market Committee, Madanapally, Chittoor District.
58The Secretary, Agricultural Market Committee, Palamaner, Chittoor District.
59The Secretary, Agricultural Market Committee, Satyaveedu H.Q. at (Nagalapuram), Chittoor District.
60The Secretary, Agricultural Market Committee, Srikalahasti, Chittoor District.
61The Secretary, Agricultural Market Committee, Kuppam, Chittoor District.
62The Secretary, Agricultural Market Committee, Pileru, Chittoor District.
63The Secretary, Agricultural Market Committee, Punganoor, Chittoor District.
64The Secretary, Agricultural Market Committee, Sullurupet, Nellore District.
65The Secretary, Agricultural Market Committee, Venkatagiri, Nellore District.
66The Secretary, Agricultural Market Committee, Nellore, Nellore District.
67The Secretary, Agricultural Market Committee, Gudur, Nellore District.
68The Secretary, Agricultural Market Committee, Kovur, Nellore District.
69The Secretary, Agricultural Market Committee, Nayudupet, Nellore District.
70The Secretary, Agricultural Market Committee, Vakadu, Nellore District.
71The Secretary, Agricultural Market Committee, Kanigiri, Prakasam District.

72The Secretary, Agricultural Market Committee, Cheerala, Prakasam District.
73The Secretary, Agricultural Market Committee, Ongole, Prakasam District.
74The Secretary, Agricultural Market Committee, Markapur, Prakasam District.
75The Secretary, Agricultural Market Committee, Palakollu, West Godavari District.
76The Secretary, Agricultural Market Committee, Eluru, West Godavari District.
77The Secretary, Agricultural Market Committee, Tadepallygudem, West Godavari District.
78The Secretary, Agricultural Market Committee, Kovvor, West Godavari District.
79The Secretary, Agricultural Market Committee, Bhimavaram, West Godavari District.
80The Secretary, Agricultural Market Committee, Tanuku, West Godavari District.
81The Secretary, Agricultural Market Committee, Rajahmundry, East Godavari District.
82The Secretary, Agricultural Market Committee, Ambajipet (Amalapuram), East Godavari District.
83The Secretary, Agricultural Market Committee, Kakinada, East Godavari District.
84The Secretary, Agricultural Market Committee, Pithapuram, East Godavari District.
85The Secretary, Agricultural Market Committee, Tuni, East Godavari District.
86The Secretary, Agricultural Market Committee, Alamuru H.Q, at (Alamuru) Mandapet, East Godavari District.
87The Secretary, Agricultural Market Committee, Vizianagaram, Vizianagaram District.
88The Secretary, Agricultural Market Committee, Saluru, Vizianagaram District.
89The Secretary, Agricultural Market Committee, Bobbili H.Q. at Seethanagaram, Vizianagaram District.
90The Secretary, Agricultural Market Committee, Vijayawada, Krishna District.
91The Secretary, Agricultural Market Committee, Machilipatnam, Krishna District.
92The Secretary, Agricultural Market Committee, Malleshwaram H.Q. at Banthumilli, Krishna District.
93The Secretary, Agricultural Market Committee, Gannavaram, Krishna District.
94The Secretary, Agricultural Market Committee, Nandigama, Krishna District.
95The Secretary, Agricultural Market Committee, Jaggaiahpet, Krishna District.
96The Secretary, Agricultural Market Committee, Gudivada, Krishna District.
97The Secretary, Agricultural Market Committee, Rajam, Srikakulam District.
98The Secretary, Agricultural Market Committee, Srikakulam, Srikakulam Dist.
99The Secretary, Agricultural Market Committee, Tekkali, Srikakulam District.
100The Secretary, Agricultural Market Committee, Itchapuram, Srikakulam District.
101The Secretary, Agricultural Market Committee, Guntur, Guntur District.
102The Secretary, Agricultural Market Committee, Tenali, Guntur District.
103The Secretary, Agricultural Market Committee, Narasaraopet, Guntur District.
104The Secretary, Agricultural Market Committee, Bapatla, Guntur District.
105The Secretary, Agricultural Market Committee, Palnadu H.Q. at Piduguralla, Guntur District.
106The Secretary, Agricultural Market Committee, Vinukonda, Guntur District.
107The Secretary, Agricultural Market Committee, Repalle, Guntur District.
108The Secretary, Agricultural Market Committee, Sattenapalle, Guntur District.
109The Secretary, Agricultural Market Committee, Macherla, Guntur District.

110The Secretary, Agricultural Market Committee, Ponnuru, Guntur District.
111The Secretary, Agricultural Market Committee, Chilakaluripet, Guntur District.
112The Secretary, Agricultural Market Committee, E. Mani, H.Q. Duggirala, Guntur

District.
113The Secretary, Agricultural Market Committee, Thadikonda, Guntur District.
114The Secretary, Agricultural Market Committee, Visakhapatnam, Visakhapatnam District.
115The Secretary, Agricultural Market Committee, Anakapalli, Visakhapatnam District.
116The Secretary, Agricultural Market Committee, Chodavaram, Visakhapatnam District.
117The Secretary, Agricultural Market Committee, Yelamanchili, Visakhapatnam District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ of Mandamus or any other appropriate Writ, Order or direction, declaring the action of the respondents in demanding the Petitioner to pay the market fee under the A.P. (Agricultural Produce & Live Stock) Markets Act, 1966, as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the Market fee on the sale and purchase of Certified as well as Truthfully Labeled Seed for sowing purpose from the Petitioner Company and also direct the respondents to refund the illegally collected market fee of Rs. 1,17,520/- from the Petitioner

Counsel for the Petitioner:MR.P.PANKAJ REDDY

Counsel for the Respondent Nos.1 & 2: GP FOR Agriculture

Counsel for the Respondent Nos.3 to 49: Sri V.V.N.Narayana Rao

Counsel for the Respondent Nos.50 to 63: Sri P.Bhanu Prakash

Counsel for the Respondent Nos.64 to 117: Sri K.Madhava Reddy

WRIT PETITION NO : 20189 of 2004

Between:

M/s. Dhanyalaxmi Seeds, H.No. 1-7-1521, Balasamudram, Hanamkonda, District Warangal - 506 001.
Rep. by its Proprietor - Yerram Reddy Narayana Reddy, S/o. Laxma Reddy, aged 49 Years, R/o. H.No. 1-7-1521,
Srinivasa Nagar, Balasamudram, Hanamkonda, Warangal District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Secretary,
Agricultural & Cooperative (Mktg.II) Department, Secretariat Buildings, Hyderabad.
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh,

Hyderabad.

3 Selection Grade Secretary, Agricultural Market Committee, Warangal-2, Warangal District.
4 The Secretary, Agricultural Market Committee, Hasanparthy, Warangal District.
5 The Secretary, Agricultural Market Committee, Jangaon, Warangal District.
6 The Secretary, Agricultural Market Committee, Mulu, Warangal District.
7 The Secretary, Agricultural Market Committee, Narasampet, Warangal District.
8 The Secretary, Agricultural Market Committee, Kesamudram, Warangal District.
9 The Secretary, Agricultural Market Committee, Thorrur, Warangal District.
10 The Secretary, Agricultural Market Committee, Wardhannapet, Warangal District.
11 The Secretary, Agricultural Market Committee, Stn. Ghanpur, Warangal District.
12 The Secretary, Agricultural Market Committee, Parkal, Warangal District.
13 The Secretary, Agricultural Market Committee, Cherial, Warangal District.
14 The Secretary, Agricultural Market Committee, Kishangunj, Hyderabad.
15 The Secretary, Agricultural Market Committee, Nirmal Adilabad District.
16 The Secretary, Agricultural Market Committee, Badvel, Kadapa District.
17 The Secretary, Agricultural Market Committee, Mahabubnagar, Mahabubnagar District.
18 The Secretary, Agricultural Market Committee, Alampur, Mahabubnagar District.
19 The Secretary, Agricultural Market Committee, Gadwal, Mahabubnagar District.

20 The Secretary, Agricultural Market Committee, Shadnagar, Mahabubnagar District.
21 The Secretary, Agricultural Market Committee, Badepalli, Mahabubnagar District.
22 The Secretary, Agricultural Market Committee, Achampet, Mahabubnagar District.
23 The Secretary, Agricultural Market Committee, Mydukur, Mahabubnagar District.
24 The Secretary, Agricultural Market Committee, Huzurabad, Karimnagar District.
25 The Secretary, Agricultural Market Committee, Peddapalli, Mahabubnagar District.
26 The Secretary, Agricultural Market Committee, Manthini, Mahabubnagar District.
27 The Secretary, Agricultural Market Committee, Suyapet, Nalgonda District.
28 The Secretary, Agricultural Market Committee,

Kodada, Nalgonda District.

29 The Secretary, Agricultural Market Committee, Kurnool, Kurnool District.

30 The Secretary, Agricultural Market Committee, Allagadda, Kurnool District.

31 The Secretary, Agricultural Market Committee, Koyilakunta, Kurnool District.

32 The Secretary, Agricultural Market Committee, Adoni,, Kurnool District.

33 The Secretary, Agricultural Market Committee, Nandayal, Kurnool District.

34 The Secretary, Agricultural Market Committee, Yemmiganur, Kurnool District.

35 The Secretary, Agricultural Market Committee, Nandikotkur, Kurnool District.

36 The Secretary, Agricultural Market Committee, Atmakur, Kurnool District.

37 The Secretary, Agricultural Market Committee, Alluru, Kurnool District.

38 The Secretary, Agricultural Market Committee, Chintalapudi, West Godavari District.

39 The Secretary, Agricultural Market Committee, Janareddygudem, West Godavari District.

40 The Secretary, Agricultural Market Committee, Sathupally, West Godavari District.

41 The Secretary, Agricultural Market Committee, eluru, West Godavari District.

42 The Secretary, Agricultural Market Committee, Rajahmundry, East Godavari District.

43 The Secretary, Agricultural Market Committee, Jaggayapet, Krishna District.

44 The Secretary, Agricultural Market Committee, Vijayawada. Krishna District.

45 The Secretary, Agricultural Market Committee, Nuziveedu, Krishna District.

46 The Secretary, Agricultural Market Committee, Narasaraopet, Guntur District.

47 The Secretary, Agricultural Market Committee, Giddaluru, Prakasam District. Krishna District.

48 The Secretary, Agricultural Market Committee, Medak, Medak District.

49 The Secretary, Agricultural Market Committee, Khammam, Khammam District.

50 The Secretary, Agricultural Market Committee, Nalgonda, Nalgonda District.

51 The Secretary, Agricultural Market Committee, Tirumulagiri, Nalgonda district.

52 The Secretary, Agricultural Market Committee, Alair, Nalgonda District.

53 The Secretary, Agricultural Market Committee, Bhongir, Nalgonda District.

54 The Secretary, Agricultural Market Committee, Anantapur, anantapur District.

55 The Secretary, Agricultural Market Committee, Madanapalle, Chittoor District.
56 The Secretary, Agricultural Market Committee, Chodavaram, Vizag district.
57 The Secretary, Agricultural Market Committee, Yelamanchili, Vizag district.
58 The Secretary, Agricultural Market Committee, Anakapalli, Vizag district.
59 The Secretary, Agricultural Market Committee, Payakaraopet, Vizag district.
60 The Secretary, Agricultural Market Committee, Bheemlipatnam, Vizag district.
61 The Secretary, Agricultural Market Committee, Narsipatnam, Vizag district.
62 The Secretary, Agricultural Market Committee, Srikakulam, Srikakulam District.
63 The Secretary, Agricultural Market Committee, Itchapuram, Srikakulam District.
64 The Secretary, Agricultural Market Committee, Tekkali, Srikakulam District.
65 The Secretary, Agricultural Market Committee, Narasannapet, Srikakulam District.
66 The Secretary, Agricultural Market Committee, Amudalavalasa, Srikakulam District.
67 The Secretary, Agricultural Market Committee, Palakonda, Srikakulam District.
68 The Secretary, Agricultural Market Committee, Cheepurupalli, Vizianagaram District.
69 The Secretary, Agricultural Market Committee, Parvathipalli, Vizianagaram District.
70 The Secretary, Agricultural Market Committee, Saluru, Vizianagaram District.
71 The Secretary, Agricultural Market Committee, Kothavalasa, Vizianagaram.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ of Mandamus or any other appropriate Writ, Order or direction, declaring impugned Notice No. Agriculture Market Committee, Warangal D/26/49/03/04, dated 29-6-2003, issued by the 3rd respondent, as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the Market fee on the sale and purchase of Certified as well as Truthfully Labeled Seed for sowing purpose from the Petitioner Company and also direct the respondents to refund the illegaly collected market fee of Rs.57,590/- from the Petitioner;

Counsel for the Petitioner:MR.P.PANKAJ REDDY

Counsel for the Respondent Nos.1 & 2: GP FOR Agriculture

Counsel for the Respondent Nos.3 to 28 and 48 to 53: Sri V.V.N.Narayana Rao, S.C. for Agricultural Market Committees

Counsel for the Respondent Nos.29 to 37; 54 and 55: Sri P.Bhanu Prakash, S.C. for Agricultural Market Committees

Counsel for the Respondent Nos.38 to 47 and 56 to 71: Sri K.Madhava Reddy,

S.C. for Agricultural Market Committees

WRIT PETITION NO : 20190 of 2004

Between:

M/s. Mangala Seeds, Plot No. 202, Road No. 4, I.D.A. Rampur, Madikonda, Hanamkonda, Warangal District, rep by its Managing Partner - Madishetty Ashok, S/o. Bhadraiah, Aged 39 years, R/o. H.No. 1-8-144,
Balasamudram, Hanamkonda - 506 001, Warangal District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep by its Secretary, Secretariat Building, Hyderabad.
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh, Hyderabad.
3 Selection Grade Secretary, Agriculture Market Committee, Warangal-2, Waranga District.
4 The Secretary,
Agricultural Market Committee, Hasanparthy, Warangal District.
5 The Secretary,
Agricultural Market Committee, Jangoan, Warangal District.
6 The Secretary,
Agricultural Market Committee, Mulug, Warangal District.
7 The Secretary,
Agricultural Market Committee, Narasampet, Warangal District.
8 The Secretary,
Agricultural Market Committee, Kesamudram, Warangal District.
9 The Secretary,
Agricultural Market Committee, Thorru, Warangal District.
10 The Secretary,
Agricultural Market Committee, Wardhannapet, Warangal District.
11 The Secretary,
Agricultural Market Committee, STn. Ghanpur, Warangal District.
12 The Secretary,
Agricultural Market Committee, Parkal, Warangal District.
13 The Secretary,
Agricultural Market Committee, Cherial, Warangal District.
14 The Secretary,

Agricultural Market Committee, Kishangunj, Hyderabad.

15 The Secretary,
Agricultural Market Committee, Nirmal, Adilabad District.

16 The Secretary,
Agricultural Market Committee, Badvel, Kadapa District.

17 The Secretary,
Agricultural Market Committee, Mahabubnagar, Mahabubnagar District.

18 The Secretary,
Agricultural Market Committee, Alampur, Mahabubnagar District.

19 The Secretary,
Agricultural Market Committee, Gadwal, Mahabubnagar District.

20 The Secretary,
Agricultural Market Committee, Shadnagar, Mahabubnagar District.

21 The Secretary,
Agricultural Market Committee, Bedepalli, Mahabubnagar District.

22 The Secretary,
Agricultural Market Committee, Achampet, Mahabubnagar District.

23 The Secretary,
Agricultural Market Committee, Mydukur, Mahabubnagar District.

24 The Secretary,
Agricultural Market Committee, Huzurabad, Karimnagar District.

25 The Secretary,
Agricultural Market Committee, Peddapalli, Karimnagar District.

26 The Secretary, Agricultural Market Committee, Manthini Karimnagar District.

27 The Secretary, Agricultural Market Committee, Suryapet, Nalgonda District.

28 The Secretary, Agricultural Market Committee, Kodada, Nalgonda District.

29 The Secretary, Agricultural Market Committee, Kurnool, Kurnool District.

30 The Secretary, Agricultural Market Committee, Allagadda, Kurnool District.

31 The Secretary, Agricultural Market Committee, Koyilakunta, Kurnool District.

32 The Secretary, Agricultural Market Committee, Adoni, Kurnool District.

33 The Secretary, Agricultural Market Committee, Nandayal, Kurnool District.

34 The Secretary, Agricultural Market Committee, Yemmiganur, Kurnool District.

35 The Secretary, Agricultural Market Committee, Nandikotkur, Kurnool District.

36 The Secretary, Agricultural Market Committee, Atmakur, Kurnool District.

37 The Secretary, Agricultural Market Committee, Alluru, Kurnool District.

38 The Secretary, Agricultural Market Committee, Chintalaudi, West Godavari District.

39 The Secretary, Agricultural Market Committee, Janareddygudem, West Godavari District.

40 The Secretary, Agricultural Market Committee, Sathupally, West Godavari District.

41 The Secretary, Agricultural Market Committee, Eluru, West Godavari District.

42 The Secretary, Agricultural Market Committee, Rajahmundry, East Godavari District

43 The Secretary, Agricultural Market Committee, Jaggayyapet, Krishna District

44 The Secretary, Agricultural Market Committee, Vijayawada, Krishna District

45 The Secretary, Agricultural Market Committee, Nuziveedu, Krishna District

46 The Secretary, Agricultural Market Committee, Narasaraopet, Guntur District

47 The Secretary, Agricultural Market Committee, Giddaluru, Prakasam District

48 The Secretary, Agricultural Market Committee, Medak, Medak District

49 The Secretary, Agricultural Market Committee, Khammam, Khammam District

50 The Secretary, Agricultural Market Committee, Nalgonda, Nalgonda District

51 The Secretary, Agricultural Market Committee, Tirumulagiri, Nalgonda District
52 The Secretary, Agricultural Market Committee, Alair, Nalgonda District
53 The Secretary, Agricultural Market Committee, Bhogir, Nalgonda District

54 The Secretary, Agricultural Market Committee, Anantapur, Anantapur District
55 The Secretary, Agricultural Market Committee, Madanapalle, Chittoor District
56 The Secretary, Agricultural Market Committee, Chodavaram, Vizag District
57 The Secretary, Agricultural Market Committee, Yelamanchili, Vizag District
58 The Secretary, Agricultural Market Committee, Anakapalli, Vizag District
59 The Secretary, Agricultural Market Committee, Payakaraopet, Vizag District
60 The Secretary, Agricultural Market Committee, Bheemlipatnam, Vizag District
61 The Secretary, Agricultural Market Committee, Narsipatnam, Vizag District
62 The Secretary, Agricultural Market Committee, Srikakulam, Srikakulam District
63 The Secretary, Agricultural Market Committee, Itchapuram, Srikakulam District
64 The Secretary, Agricultural Market Committee, Tekkali, Srikakulam District
65 The Secretary, Agricultural Market Committee, Narasannapet, Srikakulam District
66 The Secretary, Agricultural Market Committee, Amudalavalasa, Srikakulam District
67 The Secretary, Agricultural Market Committee, Palakonda, Srikakulam District
68 The Secretary, Agricultural Market Committee, Cheepurupalli, Vizianagaram District
69 The Secretary, Agricultural Market Committee, Parvathipalli, Vizianagaram District
70 The Secretary, Agricultural Market Committee, Saluru, Vizianagaram District
71 The Secretary, Agricultural Market Committee, Kothavalasa, Vizianagaram District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ of Mandamus or any other appropriate Writ, Order or direction, declaring impugned Demand Notice No. AMC W/140/2002-2003/2617, dated 17-8-2002 issued by the 3rd respondent as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the Market fee on the sale and purchase of Certified as well as Truthfully labeeled Seed for sowing purpose from the petitioner Company and also direct the respondents to refund the illegally collected market fee of Rs. 98,813/- from the petitioner and pass

Counsel for the Petitioner:MR.P.PANKAJ REDDY

Counsel for the Respondent Nos.1 & 2: GP FOR Agriculture

Counsel for the Respondent Nos.3 to 28 & 48 to 53: Mr.V.V.N.Narayana Rao.

Counsel for the Respondent Nos.29 to 37 & 54,55: Mr.P.Bhanu Prakash.

Counsel for the Respondent Nos.38 to 47 & 56 to 71: Mr.K.Madhava Reddy.

-

WRIT PETITION NO : 20249 of 2004

Between:

M/s Hindustan Seeds, I.D.A. Rampur , Mandal: Dharmasagar, District: Warangal, Rep. by is Managing Partner - Pambidi Tirupathi Rao s/o Bhoom Rao, aged 28 years, R/o H.No. 1-1-1069, Sidhartha Nagar, Kazipet, Warangal District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Secretary, Agricultural & Coop, (Mktg.II) Department, Secretariat Buildings, Hyderabad.
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh, Hyderabad.
3 Selection Grade Secretary, Agriculture Market Committee, Warangal-2, Warangal District.
4 The Secretary, Agricultural Market Committee, Hasanparthy, Warangal District.
5 The Secretary, Agricultural Market Committee, Jangaon, , Warangal District.
6 The Secretary, Agricultural Market Committee, Mulug , Warangal District.
7 The Secretary, Agricultural Market Committee, Narasampet, Warangal District.
8 The Secretary, Agricultural Market Committee, Kesamudram, Warangal District.
9 The Secretary, Agricultural Market Committee, Thorrur, Warangal District.
10 The Secretary, Agricultural Market Committee, Wardhannapet, Warangal District.
11 The Secretary, Agricultural Market Committee, Stn. Ghanpur, Warangal District.
12 The Secretary, Agricultural Market Committee, Parkal, Warangal District.
13 The Secretary, Agricultural Market Committee, Cherial, Warangal District.
14 The Secretary, Agricultural Market Committee, Kishangunj, Hyderabad.
15 The Secretary, Agricultural Market Committee, Nirmal, Adilabad District.
16 The Secretary, Agricultural Market Committee, Badvel, Kadapa District.
17 The Secretary, Agricultural Market Committee, Mahabubnagar, Mahabubnagar District.
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25 The Secretary, Agricultural Market Committee, Peddapalli, Karimnagar District.
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33 The Secretary, Agricultural Market Committee, Nandayal, Kurnool District.
34 The Secretary, Agricultural Market Committee, Yemmiganur, Kurnool District.

35 The Secretary, Agricultural Market Committee, Nandikotkur, Kurnool District.
36 The Secretary, Agricultural Market Committee, Atmakur, Kurnool District.
37 The Secretary, Agricultural Market Committee, Alluru, Kurnool District.
38 The Secretary, Agricultural Market Committee, Chintalalpuri, W.G. District.
39 The Secretary, Agricultural Market Committee, Janareddygudem, W.G. District.
40 The Secretary, Agricultural Market Committee, Sathupalli, W.G. District.
41 The Secretary, Agricultural Market Committee, Eluru, W.G. District.
42 The Secretary, Agricultural Market Committee, Rajahmundry, E.G. District.
43 The Secretary, Agricultural Market Committee, Jaggayyapet, Krishna District.
44 The Secretary, Agricultural Market Committee, Vijayawada, Krishna District.
45 The Secretary, Agricultural Market Committee, Nuziveedu, Krishna District.
46 The Secretary, Agricultural Market Committee, Narasaraopet, Guntur District.
47 The Secretary, Agricultural Market Committee, Giddaluru, Prakasam District.
48 The Secretary, Agricultural Market Committee, Medak, Medak District.
49 The Secretary, Agricultural Market Committee, Khammam, Khammam District.
50 The Secretary, Agricultural Market Committee, Nalgonda, Nalgonda District.
51 The Secretary, Agricultural Market Committee, Tirumulagiri, Nalgonda District.
52 The Secretary, Agricultural Market Committee, Alair, Nalgonda District.
53 The Secretary, Agricultural Market Committee, Bhongir, Nalgonda District.
54 The Secretary, Agricultural Market Committee, Anantapur, Anantapur District.
55 The Secretary, Agricultural Market Committee, Madanapalle, Chittoor District.
56 The Secretary, Agricultural Market Committee, Chodavaram, Vizag District.
57 The Secretary, Agricultural Market Committee, Yelamanchili, Vizag District.
58 The Secretary, Agricultural Market Committee, Anakapalli, Vizag District.
59 The Secretary, Agricultural Market Committee, Payakaraopet, Vizag District.
60 The Secretary, Agricultural Market Committee, Bheemlipatnam, Vizag District.
61 The Secretary, Agricultural Market Committee, Narsipatnam, Vizag District.
62 The Secretary, Agricultural Market Committee, Srikakulam, Srikakulam District.
63 The Secretary, Agricultural Market Committee, Itchapuram, Srikakulam District.
64 The Secretary, Agricultural Market Committee, Tekkali, Srikakulam District.
65 The Secretary, Agricultural Market Committee, Narasannapet, Srikakulam District.
66 The Secretary, Agricultural Market Committee, Amudalavalasa, Srikakulam District.
67 The Secretary, Agricultural Market Committee, Palakonda, Srikakulam District.
68 The Secretary, Agricultural Market Committee, Cheepurupalli, Vizianagaram District.
69 The Secretary, Agricultural Market Committee, Parvathipalli, Vizianagaram District.
70 The Secretary, Agricultural Market Committee, Saluru, Vizianagaram District.
71 The Secretary, Agricultural Market Committee, Kothavalasa, Vizianagaram District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a Writ of Mandamus or any other appropriate Writ, Order or direction, declaring impugned Demand Notice No. A.M.C. W/140/2002-2003 /2617, dated 17-8-2002 issued by the 3rd respondent as illegal and without jurisdiction and issue consequential direction prohibiting the respondents from demanding and collecting the Market fee on the sale and purchase of Certified as well as Truthfully Labeled

Seed for sowing purpose from the Petitioner Company and also direct the respondents to refund the illegally collected market fee of Rs. 65,200/- from the Petitioner

Counsel for the Petitioner:MR.P.PANKAJ REDDY

Counsel for the Respondent Nos.1 & 2: GP FOR Agriculture

Counsel for the Respondent Nos.3 to 28 & 48 to 53: Mr.V.V.N.Narayana Rao.

Counsel for the Respondent Nos.29 to 37 & 54,55: Mr.P.Bhanu Prakash.

Counsel for the Respondent Nos.38 to 47 & 56 to 71: Mr.K.Madhava Reddy.

WRIT PETITION NO : 20361 of 2004

Between:

M/s. Sumanjali Seeds & Farms, Reddypuram Road, Via Gollapally, Hanamkonda, Warangal District, Rep. by its Proprietor - Raji Reddy, S/o. B. Raghava Reddy, Aged 38 Years, R/o. H.No. 2-7-200, Excise Colony, Hanamkonda, Warangal District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Rep. by its Secretary, Agricultural & Cooperative (Mktg.II) Department, Secretariat Building, Hyderabad.
2 The Commissioner & Director of Marketing, Government of Andhra Pradesh, Hyderabad.
3 Selection Grade Secretary, Agriculture Market Committee, Warangal-2, Warangal District.
4 The Secretary, Agricultural Market Committee, Hasanparthy, Warangal District.
5 The Secretary, Agricultural Market Committee, Jangaon, Warangal District.
6 The Secretary, Agricultural Market Committee, Mulug, Warangal District.

7 The Secretary, Agricultural Market Committee, Narasampet, Warangal District.
8 The Secretary, Agricultural Market Committee, Kesamudram, Warangal District.
9 The Secretary, Agricultural Market Committee, Thorrur, Warangal District.
10 The Secretary, Agricultural Market Committee, Wardhannapet, Warangal District.
11 The Secretary, Agricultural Market Committee, Stn. Ghanpur, Warangal District.
12 The Secretary, Agricultural Market Committee, Parkal, Warangal District.
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